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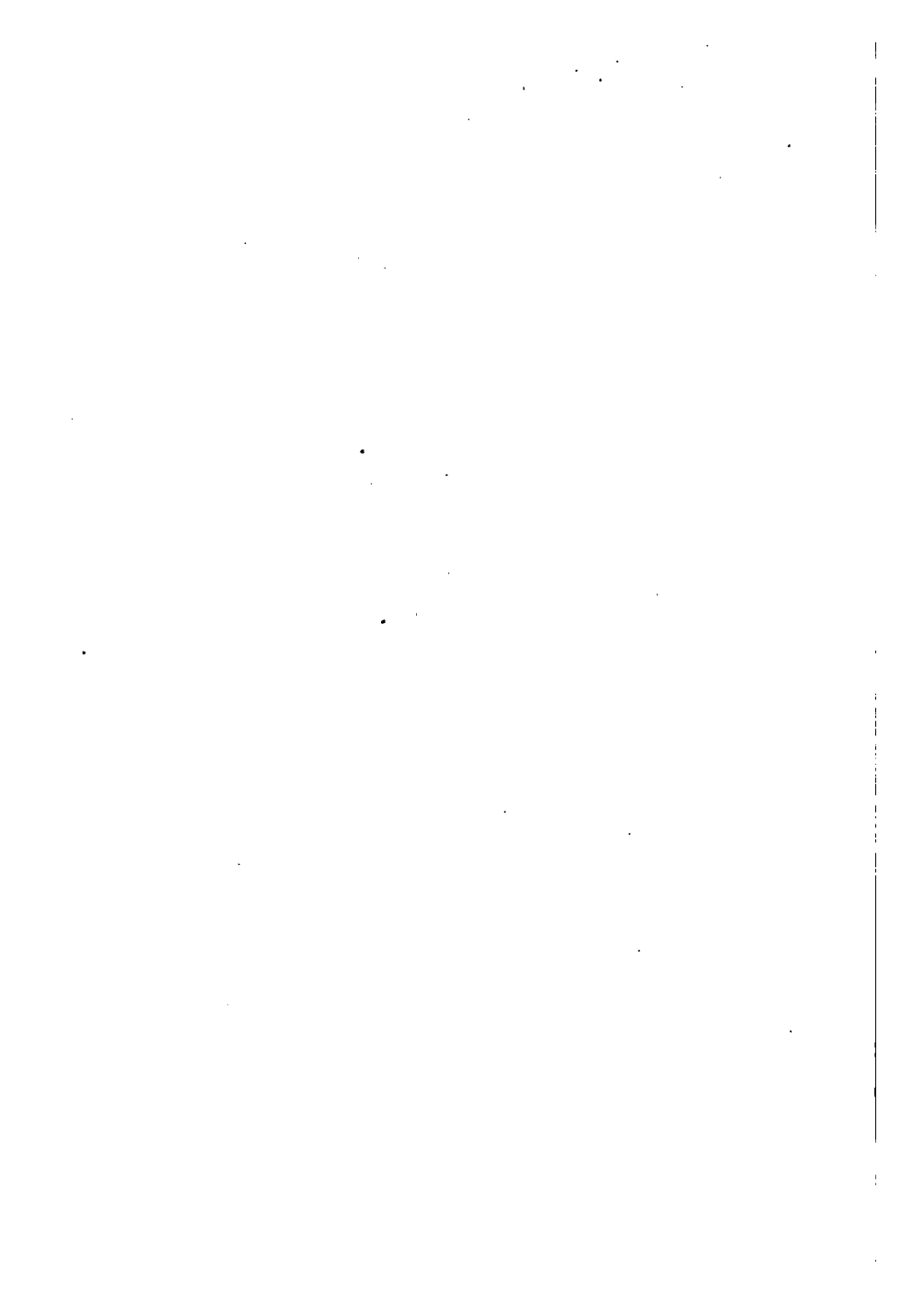
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RHYMES, REASONS, AND RECOLLECTIONS

FROM THE

Common-place-Books of a Sexagenarian

BY GEORGE BILLER

"Sollicitæ jucunda obliuia vitæ."—HOR. SAT. II. 6.62

"I left no calling for this idle trade,
No duty broke."—POPE, Prol. to SAT.



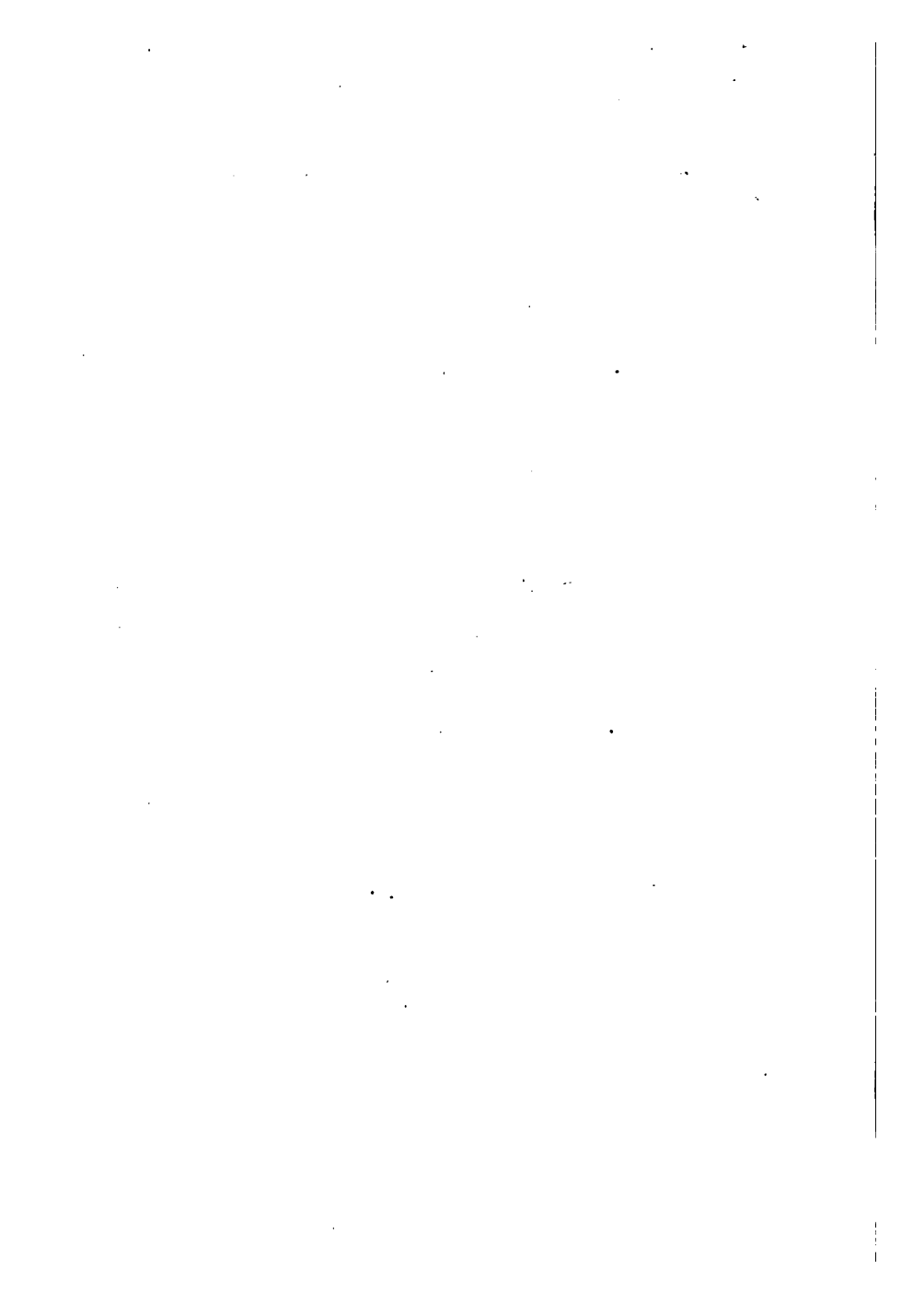
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1876

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PREFACE.

I HAVE employed a portion of my forty-ninth Long Vacation in compiling the contents of this volume from my common-place-books and diaries, which extend from 1827 to the present time.

The "Rhymes" are my own, and assuredly will never be claimed by any other person. They have no pretensions to poetry or wit, or to literary merit of any kind ; but, if the ideas expressed in any of them be deemed worth remembering, the rhymes can easily be committed to memory. With this view, some of them have been made needlessly quaint, and may perhaps be preserved from oblivion by the same unflattering quality as the three well-known lines on the Battle of Blenheim :

"Think of two thousand Gentlemen at least,
And each man mounted on his capering beast ;
Into the Danube they were pushed by shoals."

Of course, the things here printed can have but little claim to *originality*. It was long ago observed by Pascal that "Toutes les bonnes maximes sont dans le monde ; il ne faut que les appliquer."

The "Reasons" are generally those of distinguished authorities, whose names I have given. Where no authorities are mentioned, the reasons are, I believe, my own.

My recorded "Recollections" are numerous enough, but I have printed only a very few of them. They might perhaps interest some friends who remain, and might have interested more who have passed away ; but I have not the vanity to suppose that the public would care about them. "A fly sat on the chariot-wheel," says Æsop, "and exclaimed, 'What a dust I make!'" Larger creatures, in publishing their reminiscences, have often made the same mistake as the poor little fly.

9, THE TERRACE, TAVISTOCK ROAD,
WESTBOURNE PARK, LONDON
30th October, 1875.

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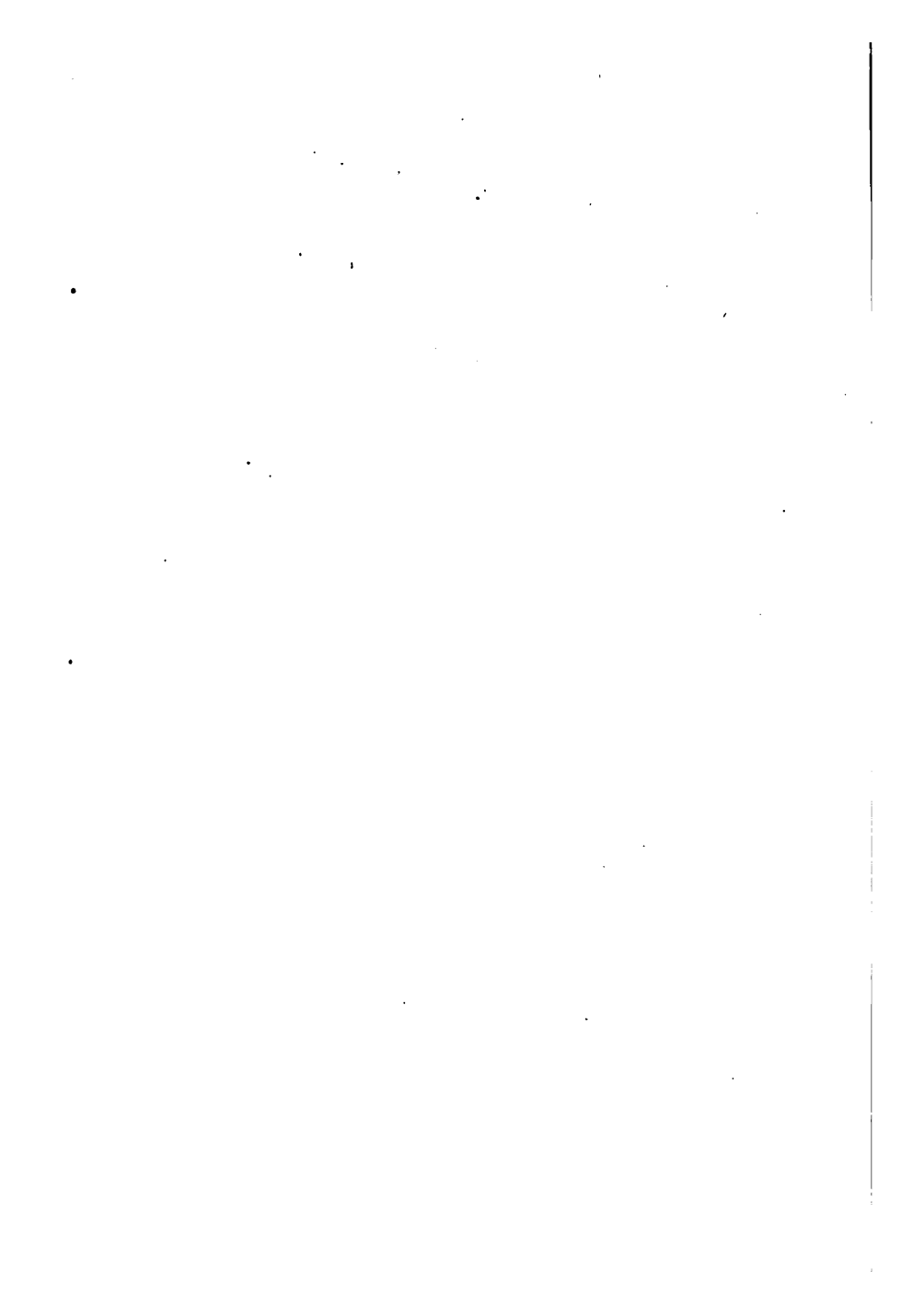
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RHYMES, REASONS, AND RECOLLECTIONS.

First Series.

SOCIAL AND ECONOMICAL.

**The test of Nature's own nobility
Is honest, fearless, able Industry.**

ON a comparison of the "Essays" of our two illustrious Chancellors, Bacon and Clarendon, it is impossible to doubt the general superiority of Lord Bacon's; but, if (as he cites from Ovid), "abeunt studia in mores," it may well be questioned whether any single essay of Bacon's is more worthy of earnest study than Clarendon's Essay on Industry, from which I extract the following:

"Industry is the cordial that nature hath provided to cure all its own infirmities and diseases, and to supply all its defects; the weapon to preserve and defend us against all the strokes and assaults of fortune; it is that only that conducts us through any noble enterprise to a noble end; what we obtain

without it is by chance; what we obtain with it is by virtue. There is no art or science that is too difficult for industry to attain to; it is the gift of tongues, and makes a man understood and valued in all countries, and by all nations; it is the philosopher's stone, that turns all metals, and even stones, into gold, and suffers no want to break into its dwellings; it is the north-west passage, that brings the merchant's ships as soon to him as he can desire; in a word, it conquers all enemies, and makes fortune itself pay contribution. If this omnipotent engine were applied to all virtuous and worthy purposes, it would root out all the vice from the world; for the industry of honest men is much more powerful than the industry of the wicked, which prevails not so much by its own activity, as by the remissness and supine laziness of their unwary enemies. The beauty and the brightness of it appear most powerfully to our observation, by the view of the contempt and deformity of that which is most opposite to it—idleness, which enfeebles and enervates the strength of the soundest constitutions, shrinks and stupefies the faculties of the most vigorous mind, and gives all the destroying diseases to body and mind, without the contribution from any other vice. Idleness is the sin and the punishment of beggars, and should be detested by all noble persons, as a disease pestilential to their fortune and their honour.

"I know not how it comes to pass, but the world pays dear for the folly of it, that this transcendent qualification of industry is looked upon only as an assistant fit for vulgar spirits, to which nature hath not been bountiful in the distribution of her store. If diligent and industrious men raise themselves with very ordinary assistance from nature, to a great and deserved height of reputation and honour, by their solid acquired wisdom and confessed judgment, what noble flights would such men make with equal industry who are likewise liberally endowed with the advantages of nature! And without that assistance, experience makes it manifest unto us, that those early buddings, how vigorous soever they appear, if they are neglected and uncultivated by serious labour, they wither and fade away without producing anything that is notable. Tully's rule to his orator is as true in all conditions of life,—'Quantum detraxit ex studio, tantum amisit ex gloriâ.'"

All that human laws can give you is *SECURITY FROM WRONG*:

The task of working out your welfare still must to yourselves belong.

SECURITY, that inestimable good, the distinctive index of civilization, is entirely the work of law. Without law, there is no security, and, consequently,

no abundance, and not even a certainty of subsistence, and the only equality which can exist in such a state of things is an equality of misery.

Law does not say to man, *Labour, and I will reward you*, but it says, *Labour, and I will assure to you the enjoyment of the fruits of your labour—that natural and sufficient recompense, which without me you cannot preserve; I will insure it by arresting the hand which may seek to ravish it from you.* If industry creates, it is law which preserves; if at the first moment we owe all to labour, at the second moment, and at every other, we are indebted for everything to law.—BENTHAM.

The description of liberty which seems to me the most comprehensive is that of *security against wrong*. Liberty is therefore the object of all government.—Sir JAMES MACKINTOSH.

Qu'est ce que la loi? que doit-elle être? Quel est son domaine? Quelles sont ses limites? Où s'arrêtent, par suite, les attributions du Législateur?

Je n'hésite pas à répondre; *La loi, c'est la force commune organisée pour faire obstacle à l'Injustice.*—BASTIAT.

While I would exhort you to impose upon the Government and the Legislature every burden that

they are, in their own nature, capable of bearing, in my mind they are not your friends, but in fact, though not in intention, your enemies, who teach you to look to the Legislature, or to the Government, for the radical removal of the evils which afflict human life.

It is the individual mind, the individual conscience; it is the individual character on which mainly human happiness or human misery depends. The social problems which confront us are many and formidable. Let the Government labour to its uttermost, let the Legislature spend days and nights in your service; but after the very best has been achieved, the question whether the English father is to be the father of a happy family and the centre of a united home, is a question which must depend mainly upon himself. Those who propose to you schemes like those seven points of which I spoke—who promise to dwellers in towns that every one of them shall have a house and garden in the country, those who tell you that there shall be markets for selling, at wholesale price, retail quantities, I will not say, gentlemen, that these are impostors, because I have no doubt that they are sincere; but I will say that they are quacks—they are misled and beguiled by a spurious philanthropy; and when they ought to give you substantial, even if humble and modest, boons, they are endeavouring, perhaps without their own consciousness, to delude you with

phantasms, and to offer you glowing fruit which, when you attempt to taste it, will prove to be but ashes in your mouth. No, gentlemen, what we have to ask ourselves are questions which it depends upon ourselves individually in the main to answer. How are the ravages of strong drink to be checked? In an age when, from year to year more and more women are becoming self-dependent members of the community, how, without tampering with the cardinal laws that determine providentially their position in the world, how are we to remove the serious social inequalities under which I, for one, hold that they labour? How, in a country where wealth accumulates with such vast rapidity, are we to check the growth of luxury and selfishness by sound and healthy opinion? How are we to secure to labour its due honour? and I mean not only the labour of the hands, but the labour of the man, with any and with all the faculties that God has given him? How are we to make ourselves believe, and how are we to bring the country to believe, that in the sight of God and man labour in this world is honourable, and idleness is of all things most contemptible? Depend upon it I do but speak the serious and solemn truth when I say that, within and beneath the political questions that are found upon the surface, lie the deeper and more searching questions that enter into the breast, and that strike home to the conscience and the mind

of every man, and it is upon the solution of these questions and other questions such as these that the well-being of England must depend.—MR. GLADSTONE.—*Speech at Greenwich, October 28, 1871.*

With honesty and intellect, with knowledge, tact, and
skill,

By industry and saving, all may prosper if they will.

Needless expense on credit, if not crime,
Is folly, which has caused it many a time.

The paths to competence and peace are surely closed
to none;

The paths to fame and greatness should, by most, be
left alone.

Thought without work is but a sad abortion,
Work without thought 's a poor or perilous portion.

Make your own fortune justly, with all the zeal you
can;

But never selfishly neglect to aid your fellow-man.

By sparing to-day, and by spending to-morrow,
You may lengthen a pleasure, or vanquish a sorrow.

I am indebted to Mr. William Ellis (than whom no higher authority on questions of Social Science could be named) for the contents of several of the foregoing "Rhymes," and for the following observations:—

"An intelligent person, seriously intent upon con-

tributing to the well-being of his fellow-creatures, and providing for his own maintenance, will not fail to ask himself these questions:—Are economical habits indispensable? Ought we to shrink from the efforts requisite to induce those habits, because they must be difficult and tedious? If something far less serious than human well-being were the object sought for, shrinking from an effort to gain it because the effort must be difficult, while no easier presents itself, would be generally considered an act of cowardice. But when the alternative is whether human well-being shall or shall not be secured, shrinking from the task, let that task be ever so difficult, by which alone it can be secured, is worse than cowardly—it is atrocious.”

'Tis a paradox yet that "*TO SAVE IS TO SPEND*,"
Though a truth in all countries, and world without end.

Épargner, c'est dépenser.—BASTIAT.

I do not know that the philosophy and morality of saving and spending are better stated anywhere than in Bastiat's Essay "*Ce qu'on voit et ce qu'on ne voit pas*," s. xi. "Épargne et Luxe;" and in the small but excellent treatise on Political Economy published by Messrs. Chambers in their "Educational Course," ss. 438-463, from which I extract the following:—

“Money is not usually accumulated for the purpose of being hidden and only looked at. No one but an insane miser is guilty of the folly of hoarding and putting money out of use. Money is realised for the purpose of being spent. Some spend their earnings as they receive them; others, more prudent, save or lay aside a portion for future benefit.

“By a long course of industry and fortunate circumstances, wealth is seen to be accumulated to a lesser or greater extent in the hands of certain parties. This wealth, however, is not abstracted from general use. It is employed in some way or other in giving employment; it is dispersed as wages of labour. This is an important fact worthy of notice, and requires some illustration.

“When a manufacturer, after a series of enterprises, has realised a large sum of money, he is left a choice of ways in disposing of it. He may consume it on his own personal gratification, he may engage in new enterprises with it; he may lend it; or he may lay it aside for his family. Let us rigorously examine these various ways of disposal.

“In spending on personal gratifications, the money is spent for things on which labour has been employed—that is, in paying wages. In spending the money on new trading enterprises, that is also giving it away in wages; the wages being paid directly or indirectly. By lending the money, that is only allowing some

one else to employ it. And by lodging it at interest in a bank, that is just another form of lending it to parties who will use it in giving employment.

“Accumulated money is, in a word, nothing more than an engine for giving employment in some way or other; and the more that a country grows in wealth, the more will be the employment given. There cannot be a greater fallacy than to suppose that the accumulation of money is equivalent to hoarding. Practically, there is no hoarding worthy of being mentioned. All wealthy men have their money in use to the advantage of labourers of one kind or other. In point of fact, many individuals with large realised fortunes, have never at any given time more than a few pounds at hand; all their money is engaged in enterprises which are likely to be productive of more money.

“If a person lends money at interest, he expects to get it back again. The person who borrows it requires it for some purpose, otherwise he would not borrow it. If he requires it for a purpose, it must be to spend; no one borrows money to hide. The lender of the money knows that it is to be spent. He knows also, however, that it is to be spent in such a way as to be repaid with profit, or he would not lend it. If the owner of money, instead of lending it, invests it in a joint-stock company, or any other kind of stock, instead of expecting another person to

employ it profitably, he tries to do so himself. The speculation may turn out ill, but still the money is spent. Perhaps, instead of lending his money to a speculator, or speculating himself, the possessor of it lends it to a landed proprietor on the security of his land. The landed proprietor perhaps will not invest it profitably; and not being able to pay it, the lender may require to take possession of his land. Still, we have through all these different circumstances this one result—*the money is spent*. In one case, it is spent profitably, in another, unprofitably, but the important fact to keep in view is, that unless money be unprofitably hidden, *it must be spent*."

Scorn to be "Jack of all trades"—be complete in one good line;

And all your working powers and days strictly to that confine;

And the light of Independence along your life will shine.

Your calling's chosen? Here then 's all the rest of it—
Perform its duties well, and make the best of it.

"I like not this profession," exclaims the shallow youth;
"I dearly love a lazy life," would be the honest truth.

"Stick to one business, young man," said Rothschild to Edward; "stick to your brewery, and you may be the great brewer of London. Be a brewer,

and a banker, and a merchant, and a manufacturer, and you will soon be in the Gazette.”—*Memoirs of Sir Thomas Fowell Buxton, Bart.* (14th February, 1834.)

He who follows two hares is sure to catch neither.
—*Italian Proverb.*

The first object of every man who has to depend upon his own exertions, must needs be to provide for his daily wants. This is a high and important office; it deserves his utmost attention; it includes some of his most sacred duties, both to himself, his kindred, and his country; and although, in performing this task, he is only influenced by a regard to his own interest, or by his necessities, yet it is an employment which renders him truly the best benefactor of the community he belongs to. All other pursuits must give way to this. The hours which he devotes to learning must be after he has done his work. His independence, without which he is not fit to be called a man, requires first of all that he should have insured for himself and those dependent on him, a comfortable subsistence before he can have a right to taste any indulgence, either of his senses or of his mind; and the more he learns, the greater progress he makes in the sciences, the more will he value that independence, and the more will he prize the industry, the

habits of regular labour, whereby he is enabled to secure so prime a blessing.—Lord BROUGHAM.

See Appendix [A].

Little the pains, and less the brains,
Least of all will be the gains.

Have a right time for every thing; be punctual to the minute:
Have a right place for every thing, and mind the thing is in it.

“Know your opportunity,”
Said Pittacus of old;
And all in this community
May make his words of gold.

See the verses of Poseidippus, the Greek epigrammatist, on the sculpture by Lysippus, representing Opportunity and Repentance, and the three imitations in Latin, Italian, and English, by Ausonius and Machiavelli and Roscoe, in the Appendix to Roscoe's Life of Leo the Tenth (No. XII.).

Long the sun shone,
But he wouldn't make hay
Now let him get on
As get on he may.

A grasshopper, half-starved with cold and hunger at the approach of winter, came to a well-stored beehive, and humbly begged the bees to relieve his wants with a few drops of honey. One of the bees asked him how he had spent his time all the summer, and why he had not laid up a store of food like them? "Truly," said he, "I spent my time very merrily in drinking, dancing, and singing, and never once thought of winter." "Our plan is very different," said the bee; "we work hard in the summer, to lay by a store of food against the season when we foresee we shall want it; but those who do nothing but drink and dance and sing in the summer, must expect to starve in the winter."—Archbishop WHATELY.

"The thing is impossible still"—
So may cowardly indolence say :
But, if you've the pluck and the will,
You'll find out the means and the way.

Rien n'est impossible ; il y a des voies qui conduisent à toutes choses ; et si nous avons assez de volonté, nous aurions toujours assez de moyens.—LA ROCHEFOUCAULD.

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If you mingle a dozen bottles of different kinds of
wine—
Each perfect—what a horrible draught they make as
they combine!
And a dozen jurors, meaning withal to serve their God
and king,
May murder a More or a Sydney, or do any pernicious
thing;
And a board of directors, consisting of men whose
private lives we applaud,
Can outstrip any villainous cheat in acts of nefarious
fraud;
And thousands of English workmen, obeying a few
loud knaves,
Will suffer for criminal nonsense, like ignorant lubbers
and slaves.

It is unnecessary to dwell upon the misconduct of
the gas-stokers in the winter of 1872, for which some
of them were brought to trial and punished, or upon
the atrocities committed under the orders of some of
the Trades Unions at Sheffield and other places, of
which the following are samples:—

“In 1854, a man, named Elisha Parker, had his
house blown up by gunpowder, his horse was ham-
strung, and he himself disabled by a pistol-shot,
because he worked with non-union men, after being
warned to leave his employment. In 1857, James
Linley was shot at and wounded for changing his
business of grinding scissors for that of grinding
saws, and keeping a greater number of apprentices
than the rules of the trade prescribed. As he still

persisted, he was shot to death with an air-gun in 1859.”—(Supplement to *Chambers's Encyclopædia*.)

Equally unnecessary is it to descant upon the following remarks, and others of the like import, addressed by the Italian members of the *International* to the Congress recently sitting at Brussels. Impossible as that might well be deemed, such remarks are too bad—by much too bad—for Sheffield or any other place in England :—

“ To-day we conspire for the complete destruction of the State, with all its malevolent institutions, the annihilation of every kind of authority, under whatever form it may present itself, and for taking possession by the uplifted masses of all the implements of labour, machines, and raw material, including the soil, and all the riches which by the most flagitious robbery—the exploitation of the starving multitudes—alone it has been possible to accumulate in the hands of a small number of enjoyers. These acts we propose to carry out with a provident promptitude, not by decreeing; to accomplish with an efficacious energy, not by proclaiming; we find all summed up in the two words, ‘*Anarchy*’ and ‘*Collectivism* ;’ conditions which we consider indispensable to insure the triumph of the social revolution and the realization of our programme.”

I shall content myself with recording a few of the

doings of two public bodies, which most people probably deem the "wisest, virtuousest, discreetest, best" of all the assemblies upon earth—I mean the two Houses of Parliament.


"It came to the knowledge of the House of Commons that one Floyd, a gentleman confined in the Fleet Prison, had used some slighting words about the Elector Palatine and his wife. It appeared, in aggravation, that he was a Roman Catholic. Nothing could exceed the fury into which the Commons were thrown by this very insignificant story. A flippant expression, below the cognisance of an ordinary court, grew at once into a portentous offence, which they ransacked their invention to chastise. After sundry novel and monstrous propositions, they fixed upon the most degrading punishment they could devise. Next day, however, the Chancellor of the Exchequer delivered a message, that the king, thanking them for their zeal, but desiring that it should not transport them to inconveniences, would have them consider whether they could sentence one who did not belong to them, nor had offended against the House, or any member of it; and whether they could sentence a denying party without the oath of witnesses? referring them to an entry on the rolls of Parliament in the first year of Henry IV., that the judicial power of Parliament does not belong to the Commons. He would have them consider

whether it would not be better to leave Floyd to him, who would punish him according to his fault.

“ This message put them into some embarrassment. They had come to a vote in Mompesson’s case in the very words employed in the king’s message, confessing themselves to have no jurisdiction except over offences against themselves. The warm speakers now controverted this proposition with such arguments as they could muster ; Coke, though from the reported debates he seems not to have gone the whole length, contending that the House was a Court of Record, and that it consequently had power to administer an oath. (Debates in 1621, vol. ii., p. 7.) They returned a message by the Speaker, excepting to the record in 1 Henry IV., because it was not an Act of Parliament to bind them, and persisting, though with humility, in their first votes. (Debates, p. 14.) The king replied mildly ; urging them to show precedents, which they were manifestly incapable of doing. The Lords requested a conference, which they managed with more temper, and, notwithstanding the solicitude displayed by the Commons to maintain their pretended right, succeeded in withdrawing the matter to their own jurisdiction. This conflict of privileges was by no means of service to the unfortunate culprit ; the Lords perceived that they could not mitigate the sentence of the Lower House without reviving their dispute, and vindicated themselves from all

suspicion of indifference towards the cause of the Palatinate by augmenting its severity. Floyd was adjudged to be degraded from his gentility, and to be held an infamous person; his testimony not to be received; to ride from the Fleet to Cheapside on horseback without a saddle, with his face to the horse's tail, and the tail in his hand, and there to stand two hours in the pillory, and to be branded in the forehead with the letter K; to ride four days afterwards in the same manner to Westminster, and there to stand two hours more in the pillory, with words on a paper in his hat showing his offence; to be whipped at the cart's tail from the Fleet to Westminster Hall, to pay a fine of £5,000, and to be a prisoner in Newgate during his life. The whipping was a few days after remitted on Prince Charles's motion; but he seems to have undergone the rest of the sentence. There is surely no instance in the annals of our own, and hardly of any civilized country, where a trifling offence, if it were one, has been visited with such outrageous cruelty. The cold-blooded deliberate policy of the Lords is still more disgusting than the wild fury of the Lower House."—HALLAM.

"A bill having been brought in 'for the better observance of the Sabbath, usually called Sunday,' one, Mr. Shepherd, sneering at the Puritans, remarked



that as Saturday was dies Sabbati, this might be entitled a bill for the observance of Saturday, commonly called Sunday. This witticism brought on his head the wrath of that dangerous assembly. He was reprimanded on his knees, expelled the house, and when he saw what befell poor Floyd, might deem himself cheaply saved from their fangs with no worse chastisement.”—HALLAM.

“But if any one wishes to see how far the pretensions of the Houses of Parliament have formerly been carried, to know how incumbent it is upon the Courts of Law to defend their high and sacred duty of guarding the lives, the liberties, and the properties of the subject, and protecting the respectability and the very existence of the Houses of Parliament themselves, against wild, and extravagant, and groundless, and inconsistent notions of privilege, it would be sufficient to refer, not to the times of the Plantagenets, of the Tudors, or of the Stuarts, the records of which abound in extravagant dicta of the Courts, and yet more extravagant pretensions of the two Houses—but to a much later and more rational period of Parliamentary history—to the days of the family under whom happily all classes in these realms have so long enjoyed, each in its sphere, the rights of freemen.

“In the year 1759, an action of trespass for breaking and entering a fishery was tried in the House of

Commons, to the lasting opprobrium of Parliamentary Privilege, to the scandal and disgrace of the House of Parliament that tried it, and to the astonishment and alarm of all good men—whether lawyers or laymen. Admiral Griffin made complaint to the House, whereof he was a member, that three men, whose names were stated, had broken into and entered his fishery near Plymouth, and taken the fish therefrom, and destroyed the nets therein; and the House forthwith, instead of indignantly, and in mockery of such a pretension, dismissing the charge, and censuring him who made it; ordered the defendants in the trespass, for so they must be called, to be committed into the custody of the Serjeant-at-Arms. They were committed into that custody accordingly, they were brought to the bar of the House of Commons, and there on their knees they confessed their fault; they promised never again to offend the Admiral by interfering with his alleged right of fishery; and upon this confession and promise they were discharged on paying their fees. So that, by way of privilege, a trespass was actually tried by the plaintiff himself sitting in judgment against his adversary, the defendant; and the judge (for in this case the House and the complaining party must be considered as identical) was pleased to decide in his own favour.”
—Lord BROUGHAM: *Judgment in Long Wellesley's case.*

“In matters of private right the case was still worse. During the Long Parliament the Commons had extended the despotic power which they possessed in public affairs to their own individual concerns; and whoever will examine the journals of that period will find that in effect they claimed an absolute exemption from all process of law for their persons, their properties, their servants, and their tenants. This power was exercised sometimes by issuing mandates to the judges, and sometimes by taking the law into their own hands, and under pretence of breach of privilege, committing to prison all who asserted against them any right or complained of any wrong.

“After the Revolution, the latter course of proceeding appears alone to have been resorted to, and the journals, from that period till the year 1768, are full of cases, to the number of several hundreds, in which the House of Commons entertained complaints of breach of privilege, by members, in respect of matters having no sort of connection with their public character. The following are a few of the instances in which such complaints were referred to a Committee of Privileges: bringing actions against them, proceedings in Chancery against them, delivering declarations in ejectments, driving away their cattle, digging their coals, cutting their woods, breaking down their fences, ploughing up their lands, killing their rabbits, fishing in their ponds, breaking open their gates, and driving

over their fields, distraining upon their lands, taking goods which they had previously distrained, erecting buildings on their wastes, distraining upon their tenants, and arresting or suing their servants.*

“In the greater number of these cases, questions of private right were in controversy, which ought to have been tried at law, and with which privilege had nothing whatever to do. Yet, under this colour, they were brought under the jurisdiction of the House, and the parties complained of were frequently ordered into custody without being even heard in their defence. The consequences may easily be imagined. In general, the unfortunate individuals abandoned their claims, and made satisfaction to the members; in others, when they were more obstinate, they were usually committed to prison.”—Lord KINGSDOWN.

**Where Labour and Capital both are *FREE*,
'Tis the land of lands for prosperity.**

This is a mere truism, and will, I hope, soon be

* Some of the instances of privilege are sufficiently ludicrous. Picking a member's pocket, and delivering an exorbitant bill of costs, were held breaches of privilege; whilst on the other hand, Dr. Steward's servant, who had unluckily been committed to prison for being the father of an illegitimate child, claimed and was allowed his privilege.

admitted as such by all except the men who live by demagogue arts. No description of the odious and absurd tyranny of Trades Unions in past years could be too severe, and the working men must generally have seen and felt that their proceedings were of a suicidal character. There will always, however, be men who know how to profit most by the antagonism between capital and labour, and the discontent and evil passions which it can be made to call forth. A judicious extension of the co-operative principle, carried out with the highest integrity and ability, seems to be the natural but arduous mode of destroying such antagonism and its fearful consequences.

**Of Man's pleasures, the highest, the purest, the deepest,
The best, the most lasting, are often the cheapest;
But transient and tainted the little that's true in
The low costly joys that conduct him to ruin.**

Reasoning *à priori*, we should conclude that man must derive his chief happiness from the faculties and endowments which are peculiar to man—those, I mean, by which he is distinguished above the lower animals; and all experience confirms this conclusion.

I think we should estimate the pleasures which

constitute our happiness in the following order, beginning with the lowest :

1. Pleasures of the Senses.
2. Pleasures of the Intellectual Faculties, including the Imagination and Taste.
3. Pleasures of the Heart, especially the Social Passions and Affections.
4. Pleasures of the Conscience.
5. Pleasures of Religion.

If this is so, the above rhymes must be strictly true, as regard all fairly-educated persons. Every bankrupt peer knows that, whilst he has squandered his estate and degraded his title, all that he has spent on pleasures of the highest order (or indeed on any pleasures of a high order), is so insignificant as to be almost imperceptible.

Second Series.

ETHICAL.

Conscience at last shall have supremacy—
Doubts any man that this is God's decree?

Being, without well-being, must ever be a curse;
And as the Being's greater, so the curse is all the
worse.

Well-doing makes well-being—
A truth which no man can help seeing.

Justice, Benevolence, Order, Truth,
And Temperance—practise well in youth;
Thus only, and thus always, can
Be surely formed a virtuous man.

Of ways of living take the best;
Custom will make it the pleasantest.

Every day we may discern
That what we practise that we learn.

THE two words, "custom" and "habit," are often used as synonymous, though really distinct. They denote, respectively, cause and effect. The frequent repetition of an act is a custom. The state of mind or of body thereby produced is a habit. The custom forms the habit, and the habit keeps up the custom. A custom is a continuous stream of similar acts; a

habit is the channel which that stream has scooped out. It preserves the custom, as a river is confined by the banks which it has itself created. The test of the ripening of a custom into a habit is when the customary act is performed spontaneously, or with pleasure, or when its omission has become painful. Aristotle defines the virtues as habits; and he, therefore, holds acts of virtue to be not duties to be performed, but pleasures to be enjoyed. If such an act is felt as a sacrifice, the habit has not been acquired. The man who resists the temptation to steal has not the virtue of honesty; if he had, he would not feel the temptation.—SENIOR.

I trust everything to habit—habit, upon which in all ages the lawgiver as well as the schoolmaster has mainly placed his reliance—habit, which makes everything easy, and casts all difficulties upon the deviation from the wonted course. Make sobriety a habit, and intemperance will be hateful and hard—make prudence a habit, and reckless profligacy will be as contrary to the nature of the child grown an adult as the most atrocious crimes are to any of your lordships. Give a child the habit of sacredly regarding truth—of carefully respecting the property of others, of scrupulously abstaining from all acts of improvidence which can involve him in distress, and he will just as little think of lying, or cheating, or stealing,

or running in debt, as of rushing into an element in which he cannot breathe.—Lord BROUGHAM. *Speech in the House of Lords, 23rd May, 1835.*

Estimate also properly the force of habit. Exercise a constant, an unremitting vigilance over the acquirement of habit, in matters that are apparently of entire indifference, that perhaps are really so, independent of the habits they engender. It is by the neglect of such trifles that bad habits are acquired, and that the mind, by tolerating negligence and procrastination in matters of small account, but frequent recurrence—matters of which the world takes no notice—becomes accustomed to the same defects in matters of higher importance.—Sir ROBERT PEEL.

Many persons seem to expect to learn one thing by practising another very different thing. What misleads them is, that they speak loosely of being *accustomed* to such and such a thing, and forget that two persons may have been both of them conversant about the very same *objects*, and yet may have acquired opposite *habits*, from being accustomed to *act* in opposite ways.

Suppose, for instance, that there is in your neighbourhood a loud bell that is rung very early every morning to call the labourers in some great manufactory. At first, and for some time, your rest will

be broken by it; but if you accustom yourself to lie still, and try to compose yourself, you will become in a few days so *used to it*, that it will not even wake you. But any one who makes a point of rising immediately at the call, will become so *used to it* in the *opposite* way, that the sound will never fail to rouse him from the deepest sleep. Both will have been accustomed to the same bell, but will have formed opposite habits from their contrary modes of action.—Archbishop WHATELY.

Sorrow for sin is duty—high and holy;
Grief for grief's sake is weakness, vice, or folly.

Nobody, I suppose, thinks of repealing what the gifted and amiable author of "Ion" described as—

"The eternal law that, where guilt is,
Sorrow shall answer it"

That "law" is not of man's enactment, and is not to be altered by man. It is one of those invariable truths or facts which have come to be called "laws of nature," because they are never departed from.

Mr. Greg justly says, "A sin without its punishment is as impossible, as complete a contradiction in terms, as a cause without an effect."

Bearing all this in mind, however, as to repentance, or sorrow *for sin*, it is necessary to remember that

any other sorrow is never a duty, whatever else it may be. Its excess may even be highly culpable. Surely English people should get rid of the wretched practical blunder that mere lamentation, or a mere disposition to grieve, has something meritorious in it.

When we're moved to our work but by conscience and
reason,
It soon becomes work which we all take our ease on.

On ne souhaite jamais ardemment ce qu'on ne
souhaite que par raison.—LA ROCHEFOUCAULD.

What, then, is to be done in the case of any arduous and necessary undertaking? The answer is obvious. You should endeavour not only to convince the understanding, but also to affect the heart, and, for this end, you must secure the reinforcement of the passions. This is indeed the course which would be naturally followed by every man of common understanding, who should know that some one, for whom he was deeply interested—a child, for instance, or a brother—was about to enter on a long, difficult, perilous, and critical adventure, wherein success was to be honour and affluence, defeat was to be contempt and ruin. And still more, if the parent were convinced that his child possessed faculties, which strenuously and unremittingly exerted would prove equal to all the exigencies of the enterprise,

but knew him also to be volatile and inconstant, and had reason to doubt his resolution and his vigilance ; how would the friendly monitor's endeavour be redoubled, so to possess his pupil's mind with the worth and dignity of the undertaking, that there should be no opening for the entrance of any inferior consideration ! “ Weigh well,” he would say, “ the value of the object for which you are about to contend, and contemplate and study its various excellences, till your whole soul be on fire for its acquisition. Consider, too, that if you fail, misery and infamy are united in the alternative which awaits you. Let not the mistaken notion of its being a safe and easy service for a moment beguile you into the discontinuance or remission of your efforts. Beware of your imminent danger, and at the same time know your true security. It is a service of labour and peril, but one wherein the powers which you possess, strenuously and perseveringly exerted, cannot but crown you with victory. Accustom yourself to look first to the dreadful consequences of failure ; then fix your eye on the glorious prize which is before you ; and when your strength begins to fail, and your spirits are well nigh exhausted, let the animating view rekindle your resolution, and call forth in renewed vigour the fainting energies of your soul.”—
WILLIAM WILBERFORCE.

To the best of your power,
Enjoy every hour;
There's but one secret in it—
Spend well every minute.

I have found out a most effectual plan for doubling man's life—by *using* the time he wastes in idleness and profligacy.—E. W.

See Appendix [B].

I, who have been behind the scenes, both of pleasure and business, and have seen all the springs and pulleys of those decorations which astonish and dazzle the audience, retire, not only without regret, but with contentment and satisfaction. But what I do, and ever shall, regret, is the time which, while young, I lost in mere idleness, and in doing nothing. This is the common effect of the inconsideracy of youth, against which I beg you will be most carefully upon your guard. The value of moments when cast up is immense, if well employed; if thrown away, their loss is irrecoverable. Every moment may be put to some use, and that with much more pleasure than if unemployed. Do not imagine that, by the employment of time, I mean an uninterrupted application to serious studies. No; pleasures are, at proper times, both as necessary and as useful; they fashion and form you for the world; they teach

you character, and show the human heart in its unguarded minutes. But, then, remember to make that use of them. I have known many people, from laziness of mind, go through both pleasure and business with equal inattention, neither enjoying the one nor doing the other, thinking themselves men of pleasure because they were mingled with those who were, and men of business, because they had business to do, though they did not do it. Whatever you do, do it to the purpose; do it thoroughly, not superficially. *Approfondissez*; go to the bottom of things. Anything half done, or half known, is, in my mind, neither done nor known at all. Nay, worse, for it often misleads. There is hardly any place, or any company, where you may not gain knowledge if you please; almost everybody knows some one thing, and is glad to talk upon that one thing.—Earl of CHESTERFIELD.

Practise the economy of time; consider time, like the faculties of your mind, a precious estate, that every moment of it well applied is put out to an exorbitant interest. I do not say, devote yourself to unremitting labour, and forego all amusement; but I do say that the zest of amusement itself, as well as the successful result of application, depends in a great measure upon the economy of time. When you have lived half a century, you will have

seen many instances in which he who finds time for everything—for punctuality in all the relations of life, for the pleasures of society, for the cultivation of literature, for every rational amusement—is the same man who is the most assiduous, and the most successful in the active pursuits of his profession.—
SIR ROBERT PEEL.

Command thyself. 'Tis thy just Monarchy.
Let truth and goodness thy great masters be;
And other men may then well yield to thee.

I shall never envy the honours which wit and learning obtain in any other cause, if I can be numbered among the writers who have given ardour to virtue and confidence to truth.—DR. JOHNSON.

Their greatest misfortunes are what they best merit:
This is the sting of most ill men inherit.

Martyrs to virtue Earth has very few;
Martyrs to vice by myriads meet our view.

Sulky's grand proof that he's a man of worth
Is that his manners are the worst on Earth.

Bad manners are bad morals—
Remember this in your romps and quarrels.

Now, as to politeness; many have attempted

definitions of it ; I believe it is best to be known by description, definition not being able to comprise it. I would, however, venture to call it *benevolence in trifles*.—WM. PITT, Earl of Chatham.

I have ever thought that one of the most beautiful things in the world, and one of the rarest, is good manners. Among twenty men that, taking them haphazard, you could point out as men of remarkable ability, you will often find that not more than two or three of them are distinguished by combining good manners with their great ability.

The late Lord Clarendon was supremely courteous. His courtesy was that of the heart.—SIR ARTHUR HELPS.

There is an alchemy in *manner* which can convert everything into gold.—E. W.

I have somewhere heard politeness defined as “polished good-will.”

**In daily duties never rest
Content till you have done your best.**

—— “Not to know at large of things remote
From use, obscure and subtle ; but to know
That which before us lies in daily life,
Is the prime wisdom.”

MILTON, *Paradise Lost*, viii., 191.

The administration of the great system of the Universe, the care of the universal happiness of all rational and sensible beings, is the business of God, and not of man. To man is allotted a much humbler department, but one much more suitable to the weakness of his powers, and to the narrowness of his comprehension—the care of his own happiness, of that of his family, his friends, his country ; that he is occupied in contemplating the more sublime, can never be an excuse for his neglecting the more humble department ; and he must not expose himself to the charge which Avidius Cassius is said to have brought, perhaps unjustly, against Marcus Antoninus, that while he employed himself in philosophical speculations, and contemplated the prosperity of the Universe, he neglected that of the Roman Empire. The most sublime speculation of the contemplative philosopher can scarce compensate the neglect of the smallest active duty.—ADAM SMITH.

The best proof you can give, that you would behave well if you were in another's place, is by behaving well in *your own*. God has appointed to each his own trials, and his own duties ; and He will judge you, not according to what you think you *would* have done in some different station, but according to what you *have* done in that station in which He has placed you.—Archbishop WHATELY.

Take care of the easy things, and the hard ones
will take care of themselves.—*Id.*

"I'll be on Virtue's side," the just man says;
"Fair Virtue be on *MY* side!" Pecksniff prays.

When the path of duty's clear,
The vilest counsellor is fear.

Friendship and deep domestic love should be
The guardians of the heart's tranquillity.

A man may have a dozen residences, and *no home*.

Family dissension is the greatest bane of life. Our
ark can find no resting-place amongst the troubled
waters until the olive-branch is ours.—E. W.

Offences against society, in its greater extent, are
cognizable by human laws. No man can invade
the property or disturb the quiet of his neighbour,
without subjecting himself to penalties, and suffering
in proportion to the injuries he has offered. But
cruelty and pride, oppression and partiality, may
tyrannize in private families without control; meek-
ness may be trampled on, and piety insulted, without
any appeal but to conscience and to heaven. A thou-
sand methods of torture may be invented, a thousand
acts of unkindness or disregard may be committed, a
thousand innocent gratifications may be denied, and a

thousand hardships imposed, without any violation of national laws. Life may be imbittered with hourly vexation; and weeks, months, and years be lingered out in misery, without any legal cause of separation, or possibility of judicial redress. Perhaps no sharper anguish can be felt than that which cannot be complained of, nor any greater cruelties inflicted, than some which no human authority can relieve.—Dr. JOHNSON.

Knowledge and reasoning boundless blessings bring;
Still from the heart man's loftiest thoughts must spring.

"Pectus est enim quod disertos facit, et vis mentis."—*Quintil. de Inst. Orat. X.*, vii., 15.

"Les grandes pensées viennent du cœur."—
Vauvenargues—Réflexions et Maximes (No. 127).

'Tis sweet to see these youthful ones such various
knowledge gaining;
But let our hearts remember that mere teaching is not
training;
Is moral worth in all their minds, in all their habits
reigning?

As between teaching and training, there can be no doubt that training is by far the more important. It is the more important even for the purposes of know-

ledge. Knowledge may be forgotten and requires some trouble to keep it up. Habits once thoroughly acquired cannot be discontinued without pain. They are therefore permanent; and even the knowledge which has been forgotten, if it be worth recovering, will generally be recovered by a man of good intellectual habits. Moral training is obviously still more important than intellectual training; and even bodily training, inferior as it is to intellectual and to moral training, conduces, perhaps, more to the well-being of a child than any amount of mere teaching. Training, therefore, or the formation of habits rather than teaching, or the imparting of knowledge, is the great business of education.—SENIOR.

Shun avarice! 'Tis the only poverty
Whose cravings gold can never satisfy.

Boundless his wealth, and still he groans that he's so
little worth;
He'll have sufficient some day—when his mouth is full
of earth.

Desunt inopiæ multa, avaritiæ omnia.—PUBLIUS
SYRUS.

To which saying, I have a mind to add one member, and tender it thus;

Poverty wants some, luxury many, avarice all things.—COWLEY.

The only kind of poverty that nothing can cure is covetousness; because reasonable wants may be relieved, but the wants of avarice, never. A man who possesses nothing may possibly become rich some time or other; but a covetous man, however much he may get, will always be in reality poor, because he is afraid to use what he has, and is always anxiously craving for more.—Archbishop WHATELY.

Put off all duties, and you risk all sorrows :
Is not Hell peopled mainly by to-morrows ?

A man's worst flatterer is himself,
Oh fool ! to trust the detected elf !

Conscience is flattery's emetic.—E. W.

“ Be not wise in your own conceits ”—
A healthier caution man ne'er meets.

The former of these two lines is the text of one of Dr. Johnson's sermons, from which I extract the following :—

“ Knowledge is to be attained by slow and gradual acquisition, by a careful review of our ideas, and a regular superstructure of one proposition on another ; and is, therefore, the reward only of diligence and patience.

“Those to whom the instruction of young men is intrusted have often the dissatisfaction of finding that in proportion as greater advances have been made in the first period of life, there is less diligence in the second; and that, as it was said of the ancient Gauls, that they were more than men at the onset, and less than women in the shock, it may be said that many who were men at school are boys at the college.”

If a glass be *full* of water, it has no room for a single drop of wine. If a brain be filled with conceit, it has no room for a grain of sense or knowledge.

“You mean to lead a worthless life of low, gross pleasure?”—Well!

Like a dull fool you’ll forfeit Heaven, to gain—not Earth,
but—Hell.

Let the man govern the animal, and let God govern the man!—BINNEY.

O, how idle the dispute, whether the listening to the dictates of prudence from prudential and self-interested motives be virtue or merit, when the *not* listening is guilt, misery, madness, and despair! The best, the most Christianlike pity thou canst shew, is to take pity on thy own soul. The best and most acceptable service thou canst render, is to do justice and show mercy to *thyself*!—COLERIDGE.

"Wrong never comes right,"
'Tis clear as the light;
If about to do wrong,
Attend to this song.

You are preventing too much pain,
Or causing too much pleasure—
You think so? Think it o'er again;
You blunder beyond measure.

Let no man apprehend for himself or others that he can produce too much good or remove too much evil. It is not on the side of expansive benevolence that his mistakes are likely to be made. Let him do all the good he can, and wherever he can, he will never do too much for his own happiness or the happiness of others.—BENTHAM.

That we have slain our tens of thousands is a boast in which the Author of all death surpasses us; that we have given birth to one poor man's smile, or wiped away one widow's tear, is a glory we enjoy in common with the Giver of Immortality.—E. W.

Amid this harsh world's injuries remember while you live,
It may be manly to resent, 'tis Godlike to forgive.

For the sentiment here expressed I am indebted to a well-known occurrence in the life of Lord Chief-Justice Wilmot, one of the best and greatest judges that ever sat in Westminster Hall.

A Sanskrit writer says beautifully, "A good man

does not shew enmity even when he is being destroyed. Even when it is being cut down, the Sandal tree imparts fragrance to the edge of the axe."

Forgiveness of injuries and humility are pointed out by Bishop Hinds as the distinguishing characteristics of Christian morality, and he adds that it is not perhaps too much to assert that, with the exception of these, "the heathen sketch of the moral character (such as is found, for instance, in the 'Ethics of Aristotle') required no feature to be added, but only some correction and a higher finish."—(*History of the Rise and Early Progress of Christianity.*) This is at least as true of Jewish as of heathen morality; and it is needless to state that Christian humility and forgiveness of injuries have no necessary connection with the functions of a legislator, any more than they are capable of being enforced by human laws. It would be mere cant to pretend that our leading statesmen are now distinguished by the possession of either of these Christian graces. Yet it is a miserable truth that the disabilities of our Hebrew fellow-subjects were not entirely removed till the passing of "The Parliamentary Oaths Act, 1866," on the alleged ground that they were not Christians; as if Christianity would gain strength and not defilement by unjustly monopolizing civil rights. If Baron Rothschild or Sir Moses Montefiore (*e.g.*) were now added to the peerage, does any man believe that the character of our legislation would suffer by it?

Third Series.

RELIGIOUS AND ECCLESIASTICAL.

I am sure the mind ne'er lives
On bald and barren negatives;
And my dreary, sceptic scoffer,
You have nothing else to offer.

What makes Christianity
Distasteful to humanity?
Perhaps 'tis its obscurity?
No, sir! but its purity:

Commanding every virtue, and denouncing every vice,
It claims from man's unworthiness too great a sacrifice.

Strive to be a perfect man,
Do the utmost good you can—
At least refrain from doing evil—
Servant of God! serve not the devil!

When you doubt—abstain.—ZOROASTER.

To obey is better than sacrifice, and to hearken
than the fat of rams.—1 Samuel xv. 22.

The abstinence from evil is better even than doing
good.—Sentences of ALI, son-in-law and fourth suc-
cessor of Mohammed.

To obey is best,
And love with fear the only God.—MILTON.

DOXOLOGY

For Days of General Thanksgiving.

(Written on the Recovery of H.R.H. the Prince of Wales.)

Praise, praise ye God the Father,
And praise ye God the Son,
And praise ye God the Spirit—
Eternal Three in One!
And as from the beginning,
So now and evermore,
The God of endless Mercy
With boundless praise adore!

22nd February, 1872.

I have examined many collections of Doxologies printed at the end of hymn-books and similar works, without being able to find one in the same metre as Bishop Heber's Missionary Hymn, James Montgomery's "Hail to the Lord's Anointed!" and many other of our best hymns. I should be glad if the above Doxology could be generally adopted. Perhaps the Benchers of the Middle Temple (of which honourable and learned Society H.R.H. the Prince of Wales is a member) will set the example?

In "righteousness and holiness" may God preserve
our Queen!*

That She should have all virtues can with perfect ease
be seen.

Do we—her subjects—need them? No more than do our
dogs;

Enough for us Church-furniture, Church-mountebanks,
Church-togs—

With these our age complacently to dismal Hades
glides—

Ignorance, sloth, vice, want and woe—triumphant on
all sides.—(1869.)

The Old Testament proclaims, "It is the will of God that man shall be *righteous*;" the New Testament proclaims, "It is the will of God that man shall be *holy*." The things thus proclaimed are surely *religious truths*; and I believe no sane man can conscientiously say that he doubts either of them. Is it possible that they have in our day sunk into a general "neglect caused by the very circumstance of their universal admission?" It is well observed by Coleridge, that "truths the most awful and interesting are too often considered as *so* true that they lose all the power of truth, and lie bed-ridden in the dormitory of the soul, side by side with the most despised and exploded errors."

I am lost in astonishment when I contemplate the
"questions," as they are called, which are debated by

* See the Litany.

the different religious parties, and respecting which they become furious. Vestments, intonings, processions, altar-cloths, rood-screens, and genuflections are made to be matters of the utmost importance, and all the while the really great questions are in abeyance. It reminds me of children playing at marbles on the slopes of a volcano, which has already given sure signs of an approaching eruption.—Sir ARTHUR HELPS.

We have had thirty years of unexampled clerical activity among us. Churches have been doubled; theological books, magazines, reviews, newspapers, have been poured out by the hundreds of thousands, while by the side of it there has sprung up an equally astonishing development of moral dishonesty. From the great houses in the City of London to the village grocer, the commercial life of England has been saturated with fraud. So deep has it gone, that a strictly honest tradesman can hardly hold his ground against competition. You can no longer trust that any article that you buy is the thing which it pretends to be. We have false weights, false measures, cheating, and shoddy everywhere. Yet the clergy have seen all this grow up in absolute indifference; and the great question which at this moment is agitating the Church of England is the colour of the ecclesiastical petticoats.—J. A. FROUDE.

It may be that the sacred *NAMES* of Christ and Christianity,
Used as mere steps to power and pelf are wrongs to
all humanity;
It may be that in better times the ablest patriotism
Shall justly say "Exterminate Ecclesiasticism."
I simply wish our Clergy would not worship Ritualism,
But cast away the devilish frauds of base Tractarianism.

SWARTMOOR HALL, ULVERSTONE,
September, 1871.

Swartmoor Hall (now a farm-house) was formerly the residence of George Fox, the founder of the Society of Friends. It had previously been the residence of Mr. Justice Fell and his family. While the judge was on circuit, Mrs. Fell and her daughters were converted to Quakerism by the preaching of Fox; and the judge, on his return home, though at first very angry, became himself almost a convert. After the judge's death, Fox married his widow, who appears to have been the most strict and austere of Quakeresses.

The many good and great works of the Society of Friends are well known, and its little book on "Christian Doctrine, Practice, and Discipline" (which anybody may buy for a shilling at the Friends' Book Society, 12, Bishopsgate-street Without), contains, apart from the peculiar tenets of the Society, and in addition to historical matters of great interest, more

Christian charity, more sound morality, and more good sense with respect to the conduct and business of life, than can be easily found in the same compass anywhere else. Of course, also, the Society of Friends would never *persecute*; but, on the other hand, its doctrine of "the inward light received from Christ Himself" is surely (in other respects) as difficult to be convinced of as Papal Infallibility. I remember that poor Edward Irving, at the end of his life, asserted a claim to Divine authority for the Unknown Tongues!

The above rhymes were written in the neighbourhood of Swartmoor Hall in 1871, and I rejoice that the Legislature has now passed "The Public Worship Regulation Act, 1874," which Mr. Disraeli fairly described as "an Act to put down Ritualism."

If ever the Church of England should be disendowed and disestablished—and no doubt this will again and again be attempted—there must, of course, be ample compensation to the clergy and the owners of Church property. On this all persons are agreed; but I trust and believe that her remaining abuses will be reformed (chiefly from within) and her numerous and great excellences retained and augmented; and then may "Esto perpetua!" be the only cry concerning her! The "Monkeyana" of Ritualism will surely soon pass away like other superficial fashions. I believe their chief strength is in human indolence.

They became prevalent only because they were so much *easier* than any practical virtues, but how can they satisfy the conscience or the heart? For my part, I was brought up a member of the Church of England, and have never seen sufficient reason to leave her for the sake of joining any other denomination of Christians. It would be well, however, if the ministers of the Established Church would earnestly consider what is the cause that so many of their number have gone over to the corrupt tyranny and superstition of the Church of Rome, while nothing of the kind has occurred amongst the ministers of any great body of Dissenters; and the following just remarks of M. de Laveleye, in his "Protestantism and Catholicism in their Bearing upon the Liberty and Prosperity of Nations," demand grave attention :

"With regard to elementary instruction, Protestant States are incomparably more advanced than Catholic. England alone is no more than on a level with the latter, probably because the Anglican Church, of all the reformed forms of worship, has most in common with the Church of Rome. All the Protestant countries, such as Saxony, Denmark, Sweden, and Prussia, lead the van, having few, if any, illiterate children; the Catholic countries fall far behind, having a third part of the population ignorant, as in France and Belgium, or three-fourths, as in Spain, Italy, and Portugal."

MOTTO FOR A SLAVE-OWNER'S BIBLE.

This is the book
 Into which we all look
 For the doctrines to which we've a mind;
 And when we so look
 Into this book,
 Such doctrines, we, all of us, find.

This is a paraphrase of the well-known epigram of the learned Wehrenfels (see his *Opuscula*, vol. III., p. 362) which was often quoted by Archbishop Whately and by Sir William Hamilton:—

“Hic liber est in quo quærit sua dogmata quisque,
 Invenit et pariter dogmata quisque sua.”

The Essence of the Old Covenant (as I have above observed) is *Righteousness*. There can, of course, be nothing wrong in *that*. The Essence of the New Covenant, more profound and more sublime than the Old, is *Holiness*—the only perfect morality which man can conceive.

Whatever objections, therefore, men may allege against Christianity, its peculiarities, its records, or its evidences, let them never shut their eyes to the cardinal truth that the main principle of vital Christianity is *the highest morality they are capable of comprehending*. If they forsake Christianity, but act

conscientiously, they can still only endeavour to attain that *complete and perfect goodness* which is the essence of Christianity itself—and the only question (involving of course “What is the truth?”) ought to be whether they can attain it better without the aids which Christianity offers, or with them. In considering this question, a wise and honest man will pay due attention to the observation of Christ himself, “If any man wishes to do the will of God, he shall know of the doctrine, whether it be of God or whether I speak of myself” (St. John vii. 17), and will most probably find this conclusive of the whole matter.

While, however, Christianity is thus perfect—thus Divine in its character, so far as man can conceive the God-like—its corruptions appear to have been not merely human but diabolical. The old truism “*Corruptio optimi pessima*” is, from the nature of the case, most applicable to Religion. We have accordingly had the sacred Scriptures quoted as authority for Ecclesiastical Despotism, claiming to extend to both worlds, for Civil Despotism, for Anarchy, for the Slave-trade and Slavery, for atrocious wars, for the Holy Inquisition (which during the reign of Ferdinand and Isabella, burnt 20,000 heretics in Spain and banished 900,000), for the *Malleus Maleficarum*, for the wretch Hopkins and his witchfinders, and for 3,000 executions in England for witchcraft during the Long Parliament, for countless judicial

murders and assassinations, for the impious and preposterous dogma of Papal Infallibility, and perhaps for every other crime and imposture that human or Satanic wickedness could suggest. The worst men are at least as earnest in claiming to have Religion on their side, as the best are to be on the side of Religion.

Probably there never was a time when it was more important than it is now for the Laity to remember the warning words of Christ himself, "Beware of false prophets, which come to you in sheep's clothing, but inwardly they are ravening wolves."

The eloquent wisdom of Lord Erskine is as applicable to Ecclesiastical as to Civil Polity :—

"The prosperity and greatness of empires," said his Lordship, "ever depended and ever must depend upon the use their inhabitants make of their reason in devising wise laws, and the spirit and virtue with which they watch over their just execution ; and it is impious to suppose that men who have made no provision for their own happiness or security in their attention to their government are to be saved by the interposition of Heaven in turning the hearts of their tyrants to protect them."

CHORUS FOR THE PSEUDO-ŒCUMENICAL COUNCIL.

“Quandoquidem populus decipi vult,
DECIPIATUR!” we say;
To the Clergy the good things of Earth will result,
And the gullible Laity will pay, pay, pay,
The gullible Laity will pay.

“Since the world desires to be deceived, let it be deceived.” This (according to De Thou, L. xvii.) was the expression of Pope Paul IV. concerning the people of Paris. Does it not express the common sentiment of eminent Popish Ecclesiastics concerning the Popish Laity? It naturally might; perhaps it inevitably must.

A Pseudo-Œcumenical Council held in Pandemonium to declare “The Sinlessness of Satan” would scarcely be more shocking in its blasphemy, or more complete in its falsehood and absurdity, than a similar Council held at Rome to declare “The Infallibility of the Pope,” when he speaks *ex cathedrâ* on matters of faith and morals, and further to proclaim that if any man controvert such infallibility he will be accursed in this world and the next.

So at least would have thought Luther, and so would have thought Cromwell, the two men to whom perhaps the cause of Religious and Civil Liberty is more indebted than to any two hundred men besides; and so would have thought Milton and Locke who have done more for the glory and

true elevation of the human race than all the Bishops of Rome that ever existed.

The highest privilege we possess
Is Christian liberty;
And shall we basely acquiesce
In priestly tyranny—
Laying on laymen's souls no less
A curse than slavery?

I wish there were not so much truth as there still is in the following observations of Hume: "Most men are ambitious; but the ambition of other men may commonly be satisfied by excelling in their particular profession, and thereby promoting the interests of society. The ambition of the Clergy can often be satisfied only by promoting ignorance and superstition and implicit faith and pious frauds."

In popish, and still more in heathen countries, the ignorance of the people is weakness to themselves, but power to their priests, who, with the wisdom of the serpent, do their best to preserve it.

In every realm where Popery sheds her man-destroying
shower,
Freedom expires, and then farewell to knowledge,
wealth, and power!

This is as clear as the sun at noonday, on a fair comparison of Popish with Protestant countries at present, e.g. France with England, Spain with Germany, &c. &c. The subject has been accurately

and comprehensively treated by M. de Laveleye in his tract entitled "Protestantism and Catholicism," &c., above mentioned.

"Among the many noble thoughts of Homer, there is not one more noble or more penetrating than his judgment upon slavery. 'On the day,' he says, 'that makes a bondman of the free,

'Wide-seeing Zeus takes half the man away.'

"He thus judges, not because the slavery of his time was cruel, for evidently it was not; but because it was slavery. What he said against servitude in the social order, we may plead against Vaticanism in the spiritual sphere; and no cloud of incense, which zeal or flattery, or even love, can raise, should hide the disastrous truth from the vision of mankind."—MR. GLADSTONE.—*Vatican Decrees.*

The best definition of the "Holy Catholic Church" which I am acquainted with is the one which is contained in the Apostles' Creed, viz.: "The Communion of Saints" (see Lord Chancellor King's "History of the Apostles' Creed," 5th Edit. pp. 305 and 322); though many clergymen read the Creed as if the "Holy Catholic Church" were one thing, and the "Communion of Saints" another. The expression "the Communion of Saints" was not originally in the Creed, but was added as a definition of the "Holy Catholic Church." Every man who uses a baptismal

or Christian name claims thereby to be a Member of "The Communion of Saints;" in short, bearing a Christian name he should be a Christian Saint—a serious truth which is seldom, if ever, thought of.

It is usual with members of the Church of Rome, however, to call theirs the Catholic Church, and themselves Catholics, and from this many ignorant persons among them imply the exclusion from Christ's Holy Catholic Church of all Christians who are not members of the Church of Rome. It is also usual with them to object to the use of such words as Papist, Popery, Romanist, &c., as implying a reproach to themselves, though it is obvious that these words accurately state what members of the Church of Rome are.

As to the term "Roman Catholic," which is often used in the Statute Book and elsewhere, it seems to be a harmless absurdity, and it serves to designate a member of the Church of Rome, which ought to be done whenever it is intended. Milton in the last work which he wrote, viz., his little treatise on "True Religion," &c., has the following passage, containing probably the last pun which he perpetrated:

"Whereas the Papist boasts himself to be a Roman Catholic, it is a mere contradiction; one of the Pope's bulls; as if he should say universal particular or catholic schismatic. For Catholic in Greek signifies universal."

In every age, in every clime, dark priestcraft rears
her schools;
Her universal dogma is, "The Laity are the Fools."

Here are a few illustrations from the East :

"A priest, who well knows the law, need not complain to the king of any grievous injury ; since, even by his own power, he may chastise those who injure him.

"His own power, *which depends on himself alone*, is mightier than the royal power *which depends on other men* ; by his own might, therefore, may a Brahmin coerce his foes,

"The organs of sense and action, reputation *in this life*, a heavenly mansion *in the next, life itself*, a great name *after death*, children and cattle, are all destroyed by a sacrifice offered with trifling presents ; let no man, therefore, sacrifice without liberal gifts."—*Ordinances of Menu*, by Sir WILLIAM JONES, Chap. XI. Ss. 31, 32, and 40.

"If a Súdra sit on the same seat with a Brahmin, he is to have a gash made in the part offending. If he advise him about his religious duties, hot oil is to be dropped into his mouth and ears."—ELPHINSTONE'S *History of India*, 5th Edit. p. 10.

Here are a few concerning the West :

"Adrian IV. was the only Englishman that ever

sat in the papal chair. It might, perhaps, pass for a favour bestowed on his natural sovereign when he granted to Henry II. the kingdom of Ireland; yet the language of this donation, wherein he asserts all islands to be the exclusive property of St. Peter, should not have had a very pleasing sound to an insular monarch. * * * But the epoch when the spirit of papal usurpation was most strikingly displayed was the pontificate of Innocent III. The maxims of Gregory VII. were matured by more than a hundred years, and the right of trampling upon the necks of kings had been received, at least among churchmen, as an inherent attribute of the Papacy. "As the sun and moon are placed in the firmament" (such is the language of Innocent), "the greater as the light of the day, and the lesser of the night, thus are there two powers in the Church; the pontifical, which as having the charge of souls is the greater, and the royal, which is the less, and to which the bodies of men only are intrusted."—HALLAM.

"Protestant Prussia has defeated two empires, each containing twice her own population, the one in seven weeks, the other in seven months. * * * The nations subject to Rome seem stricken with barrenness; they no longer colonise, they have no powers of expansion. The expression employed by M. Thiers to depict their religious capital, Rome, *viduitas*

et sterilitas, might be also applied to themselves. Their past is brilliant, but the present is gloomy, and their future disquieting. Can there be a sadder situation than that of Spain? France, which has rendered such services to the world, is also greatly to be pitied, not because she has been conquered on the field of battle—military reverses may be repaired—but because it seems her fate to be ceaselessly tossed to and fro between despotism and anarchy. Even now, at the moment when, in order to recover herself, she requires the harmonious action of all her sons, the extreme parties are contending for pre-eminence, at the risk of another outburst of civil war. Ultramontanism is the cause of the misfortunes of France; this it is which has weakened the country. * * * This it was which, through the Empress Eugénie, an organ of the clerical party, brought about the Mexican expedition in order to raise up the Catholic nations of America, and the Prussian war in order to impede the progress of the Protestant States of Europe.”*—M. DE LAVELEYE’S *Pamphlet* above mentioned.

Whether the late war was to be attributed chiefly to the Emperor or the Empress, to Ollivier or the

* “So it was recently asserted by Prince Bismarck from the Tribune at Berlin. The Empress in July, 1870, said, ‘This is my war.’ The decision in favour of war, in the Supreme Council of Saint Cloud, on the 14th of August, was her doing; the Emperor was well aware of the danger, and reluctant to the
! . . .”

Ultramontanes, I have not the slightest doubt that *The Times* correctly stated the views of all right-minded persons, as to the guilt of the war itself, in the following paragraph :

“ The greatest national crime that we have had the pain of recording in these columns since the days of the first French Empire has been consummated. War is declared—an unjust, but premeditated war. This dire calamity, which overwhelms Europe with dismay, is, it is now too clear, the act of France—of one man in France. It is the ultimate result of personal rule.”—*Leading Article of “The Times,” 16th July, 1870.*

One would have thought that even *Satan, Sin, and Death* might have been satisfied without a repetition of this stupendous crime ; but *not so priestcraft*—if we may judge by the following declaration of our Arch-apostate, Cardinal Manning, at the meeting of the League of St. Sebastian on the 20th of January, 1874 :

“ Now when the nations of Europe have revolted, and when they have dethroned, as far as men can dethrone, the Vicar of Jesus Christ, and when they have made the usurpation of the Holy City a part of international law—when all this has been done, there is only one solution of the difficulty—a solution I fear impending, and that is the terrible scourge of continental war ; a war, which will exceed the horrors of any of the wars of the first Empire. I do not see how this can

be averted. And it is my firm conviction that, in spite of all obstacles, the Vicar of Jesus Christ will be put again in his own rightful place."

"And I shall be that Vicar," the Cardinal might, perhaps, have added, with the same sincerity and meekness.

I will quote one extract more from M. De Laveleye :

"The restoration of the legitimate sovereigns in the three Latin countries, Spain, Italy, and France ; Protestant Prussia crushed in the dust ; Germany given over to Austria ; Rome restored to the Pope and supreme power to the Church ; the return to the true principles of Government, that is to say, to those proclaimed by the *Syllabus* and by Catholic tradition—this is the grand scheme, the realization of which is everywhere in preparation by the Ultramontanes. Will they succeed ? Who can say ? But if they fail in this assault against German Protestantism, what will be the fate of the vanquished ? We may tremble when we reflect on the calamities in store for Europe through the dream of the restoration of universal dominion to the Church" [of Rome], "which at this moment she claims with greater audacity and obstinacy than ever."

In July, 1875, Mr. Gladstone wrote as follows :

"The Latin Church has probably a hundred and eighty millions of nominal adherents ; a clergy counted by hundreds of thousands ; a thousand Bishops,

and the Pope at their head. Nearly the entire hierarchical power in this great communion, together with a faction everywhere spread, and everywhere active, among the laity, are now deliberately set upon a design distinguished by the following characteristics. Internally, it aims at the total destruction of right. Not of right as opposed to wrong, but of right as opposed to arbitrary will. Such right there shall be none, if the conspiracy succeeds, in the Bishops against the Pope, in the Clergy against the Bishops or the Pope, in the laity against any of the three. Externally, it maintains the right and duty of the spirituality, thus organized, to over-ride at will, in respect of right and wrong, the entire action of the civil power; and likewise to employ force, as and when it may think fit, for the fulfilment of its purposes. Nowhere, perhaps, has the design been so succinctly described as in the *Otto Mesi a Roma* (p. 194): it is a design to "establish absolutism of the Church, and absolutism in the Church."—*Preface to "Rome and the Newest Fashions in Religion,"* p. ix.

"*My kingdom is not of this world*" are the words of the Divine Author of Christianity, and it is plain that any attempt to establish Christianity *by force* would be impious, and its success impossible. A legislature might as well attempt to enforce the tenth commandment, or any of those duties of practical benevolence to the non-performance of which ever-

lasting punishment is assigned by the Gospel. (Matt. xxv. 41.) Humanly speaking, men may be made Christians by argument, by persuasion, by example—but never by compulsion. What the Ultramontanes wish to establish, however, is not Christianity, but Sacerdotalism, which, to the prodigious extent that it is *evil*, is anti-Christianity; and, for anything I see to the contrary, if Christian Governments and Laymen do not protect themselves against Sacerdotalism, they will deserve whatever evil consequences may ensue to themselves. All ages, however, should remember that they are trustees for the ages to come after them; and, apart from the more important considerations of duty and moral responsibility, it must surely be better to stand high, rather than to rank low, in the estimation of those who are to succeed us, and will owe their existence to us.

I shall add the case of Dr. Alexander Leighton, who had been Professor of Moral Philosophy in the University of Edinburgh, and was the father of the excellent Archbishop of Glasgow, upon whose writings Coleridge founded his “Aids to Reflection.” Dr. Leighton had published in favour of Presbyterianism a violent pamphlet called “Zion’s Plea against Prelacy,” wherein he had told the Bishops that “they were men of blood, and that there never was a greater persecution, nor higher indignities done to God’s people, in any nation, than in this, since the

death of Elizabeth." For this he was brought before the Star Chamber, and on the 4th of June, 1630, the following horrible sentence was passed upon him :—

"And their lordships by an unanimous consent adjudged and decreed, That Dr. Leighton should be committed to the prison of the Fleet, there to remain during life, unless his Majesty shall be graciously pleased to enlarge him; and he shall pay a fine of £10,000 to his Majesty's use.

"And in respect the defendant hath heretofore entered into the ministry, and this court for the reverence of that calling, doth not use to inflict any corporal or ignominious punishment upon any person, so long as they continue in orders, the court doth refer him to the High Commission, there to be degraded of his ministry; and that being done, he shall then also for further punishment and example to others, be brought into the pillory at Westminster (the court sitting), and there whipped, and after his whipping be set upon the pillory for some convenient space, and have one of his ears cut off, and his nose slit, and be branded in the face with a double S.S., for a sower of sedition, and shall then be carried to the prison of the Fleet, and at some other convenient time afterwards shall be carried into the pillory at Cheapside, upon a market-day, and be there likewise whipped, and then be set upon the pillory, and have his other ear cut off, and from thence be carried back

to the prison of the Fleet, there to remain during life, unless his Majesty shall be graciously pleased to enlarge him."—Howell's State Trials, vol. iii. p. 385.

It is said (with some exaggeration let us hope) that Laud, who was then Bishop of London, pulled off his cap when this sentence was pronounced, and gave God thanks for it!! His private diary, which it is scarcely possible to read without shuddering, gives an account of the execution of the sentence.

Contemplating these things, a man is led to believe that the spirit of Sacerdotalism must be as far removed from the spirit of Christ as "Hell's from Heaven." It is a relief to turn to the following admirable observations by one of the clearest and most profound thinkers of our own or of any age:

"The error of those who have never had an opportunity of ascertaining the truth, and of those who, after patient and candid examination, have come to a wrong conclusion, depends no more on the will than the bitter taste of camomile or the hot taste of pepper. We might as usefully punish a man for being sea-sick as for being convinced.

"Again, it must be admitted that error, though involuntary, may lead to sin. A man may sin from not knowing what is his duty, or from believing that his duty consists mainly in the performance of things really useless, or from believing that his duty consists in doing acts absolutely mischievous; in other words, he may sin through ignorance or through superstition.

But in such cases the danger of the error arises from its practical nature. If error be merely speculative, there seems to be no reasonable ground for imputing to it any guilt.

“Now, purely speculative questions are precisely those which have been most furiously debated. They have created more hatred, more bloodshed, more wars, and more persecution, than all practical questions put together. And for this reason, that practical questions generally admit of a decision. They are debated and disposed of. Speculative questions are eternal. Their premises are generally ambiguous, often unintelligible. The discussion resembles an argument between two deaf men, in which neither attaches any meaning to the words uttered by the other. What is the real difference between the transubstantiation of the Roman Catholics and the consubstantiation of Luther? The former believe that by consecration the substance of the bread and wine are changed into the substance of the body and blood of Christ. Luther affirmed that the true body of Christ is present under the appearance of bread, and also His true blood under the appearance of wine; and that that body and blood are not spiritual and fictitious, but the true and natural body which was born of the most Holy Virgin, which same body and blood are now sitting at the right hand of the Majesty of God in that divine person who is called Christ Jesus.

“And for the one or for the other of these opinions, each of them we venture to say, devoid of meaning, thousands have thought it their duty to kill, and thousands have thought it their duty to die.”—SENIOR.

*An authorised, but very objectionable, version (so-called)
of the Lord's Prayer.*

“Our Father who in heaven art,
Thy name be hallowed in each heart,
Thy kingdom come ; may we fulfil,
Who dwell on earth, Thy heavenly will,
With equal cheerfulness and love,
As saints and angels do above.

“Give us this day our daily bread ;
Us into no temptation lead ;
But with Thy grace preserve us still
From sin and ev'ry thing that's ill ;
For Thine the kingdom, and the pow'r,
And glory are for evermore.”

It will be seen that the above composition simply omits “forgive us our trespasses, as we forgive them that trespass against us.” It is indeed a universal prayer without any supplication for mercy. It forms an appendage to nearly all copies of the Book of Common Prayer, printed at Oxford and Cambridge and the King's printers, and will be found in the books used at Westminster Abbey and the Temple Church, and, I believe, all other churches. Surely the sooner it is got rid of the better.

Fourth Series.

EPITAPHIC.

On a Governess.

And silently returns to dust, near this small sacred
stone,
All that was mortal of a Saint—if ever Earth had one.

On a Merchant.

For thee—though pride no marbled fiction rear,
And flattery's pen thy life shall ne'er commend—
Long shall affection pour the secret tear,
And mourn the Christian, Husband, Father, Friend.

On Three Children who Died Young.

Vain was our love—vain were our hopes—vain, vain
were all our prayers:
Is it that Heaven permits on Earth no happier lot than
theirs?

On a Statuette of the late Prince Consort.

Faithlessly and thanklessly,
We still for thee repine;
Yet God grant frail humanity
A few more lives like thine!
And if there can
Be a better man,
May every son
Of thine be one!

The late Prince Consort's is, I think, the most beautiful life in the world's history.

Considering that he was born a prince in a small German Principality, it is impossible to over-rate the excellence of his disposition, his judgment, or his conduct. As regards Her Majesty, the people of this country owe a debt of gratitude to the late Duchess of Kent, which can scarcely be fully paid, and which we are prone to forget; and the obligation we are under to those who had the education and training of the Prince Consort is of the same kind. In my early walks by the Prince Consort National Memorial, I have sometimes wished for a slight change in the dedicatory inscription. It now reads thus:—

“ Queen Victoria and her people,
To the memory of Albert, Prince Consort,
As a tribute of their gratitude
For a life devoted to the public good.”

If the expression "to the public good" had been "to their good," it would have better stated the truth. Surely the Prince Consort was not less exemplary or less devoted to duty in private than in public life.

On the Prince's early death, many sermons were preached, and a distinguished prelate (now deceased) led the way in exhorting his congregation to consider the loss of the Prince as a divine punishment for national transgressions. Many other clergymen followed the same course, which was surely a very presumptuous and profane one. There was no *natural* connection between the Prince's death and any national sins, and what could the preachers know of the *supernatural*? It must also, I suppose, be believed that the Judge of all the earth would do right (Gen. xviii. 25), and proportion the punishment (whether natural or supernatural) in every case to the guilt of the offender. Now did the Right Rev. Prelate and his followers consider for a moment on what sacred head the greatest amount of affliction was certain to fall? Was She the chief transgressor in the country? The loyalty and the piety of such preaching seem equal.

On an Able and Admirable Judge.

So sleeps at last dear old judge Styles—
His life-long labour 's done—
Master of all the devil's wiles,
He never practised one

Query, *which* one? He was for several years the
most successful verdict-getter at the bar.

On the most splendid Princess in Europe.

Low is the glorious Beauty laid;
Her voice shall charm no more;
Though Angels worshipp'd while she pray'd
And—Demons when she swore.—(1851.)

On an hereditary Legislator.

Here still rots on old Mornington the curst—
Of pleasure's miscreants probably the worst.

This was the infamous *roué* and rogue, the Honorable William Pole-Tylney-Long-Wellesley.

Future great heiresses can do nothing better than compare the unhappy life of Miss Tylney-Long, or even that of Mrs. George Watson-Taylor, with the life of the Baroness Burdett-Coutts.

On another.

Though the peasant rejoices
To stand near his hearse,
And our young children's voices
His memory curse—
The laurels infernal
May blaze round his brow,
And spirits eternal
Give him glory below.—(1854.)

This was the idol of our Chartist classes—
May God forgive the duped and patient asses—
And free from demagogues and cheats their blundering
reckless masses!

So ends the miser, Thistleton,
To Earth his bones are given;
To Hell his avarice is gone;
And what is left for Heaven?

On a Wee Thing.

On the fifth of the month of January,
Eighteen hundred and fifty-three,
Our darling, noisy, pretty Canary,
Was found as dead as dead could be.
We buried him here, and not without tears
For sweetly he sung to us nearly six years.
Gardener, gardener, pray let him rest,
And peacefully sleep in his last little nest.

M. A. B., jun.; S. B.; G. B., jun. '

ST. PETERSBURG PLACE,
BAYSWATER.

Fifth Series.

MISCELLANEOUS.

The advantage the highest ability brings
Is a just estimation of persons and things.

La souveraine habileté consiste à bien connaître le
prix des choses.—LA ROCHEFOUCAULD.

All who in conversation most excel
Have this in common—they can listen well.

To spend too much time over books
Is lazier even than it looks.

Rules—new and old—may make undue pretence
The final test of all rules is good sense.

No chain is stronger than its weakest link—
Plain enough this to all who ever think.

Bob says, with looks of high disdain,
"That wit is borrow'd." Ah! 'tis true:
But why should you, dear Bob, complain?
None ever borrow'd wit from you.—(1828.)

If flies or wasps you'd catch, one need not state,
Honey, not vinegar, should be your bait.

"Take snuff," my dear B.? Ay, and smoke cigars too;
Did you e'er know a coxcomb that didn't? Don't you?
—(1829.)

Learn to command the three things I shall mention—
Your countenance, and temper, and attention.

"The Queen and the Three Estates command
Every thing within our land?"
Pooh! The weather, and fashion, and death—these
three—
Defy all legal supremacy.

So at least must have thought the Sultan on his
recent visit to England. The weather almost drowned
him at Wimbledon; London fashion utterly bewildered
him; and Death, with an awful suddenness, took
away Madame Musurus while dining by his side.

Some writers (including Mr. Fonblanque in his
work entitled "How we are Governed") erroneously
suppose that the Three Estates of the Realm are the

Sovereign, the Lords, and the Commons ; but this is a mistake, as may easily be seen from Blackstone, Hallam, and other authorities. The Three Estates are the Lords Spiritual, the Lords Temporal, and the Commons. Accordingly, in the form of Thanksgiving for the 5th of November, in the Book of Common Prayer, we used to acknowledge the power, wisdom, and goodness of God "in preserving *the King and the Three Estates of the Realm of England assembled in Parliament* from the destruction intended against them."

Distrust a long-tried friend ? No, no ! Believe me,
'Twere less disgrace to let that friend deceive me.

"Of every joy in life bereft,
You're crush'd by grief and care?"
Stuff, sir ! While sleep and hope are left,
How can a man despair ?

"An old man's mirth is folly," you would say ;
Is't wisdom gives the dismal, Sir, I pray ?

What a wise man my neighbour Smith must be !
On every topic he agrees with me.

This sullen visage lay aside,
Put on a brighter view;
Why envy all the world, dear Hyde?
There's no one envies you. — (1828.)

Ever observe the first three words of the thirty-seventh
Psalm;
Far more than all physicians they'll protect your life
from harm.

This was a saying of one of my grandmothers, each
of whom lived to be nearly ninety. She took for
granted that no person could be so ignorant as not to
know that the first three words of the thirty-seventh
Psalm are "*Fret not thyself.*"

The late Mr. Rogers, the Banker-Poet, who lived
to be ninety-two, recommended (I believe) three things
for attaining old age: the bath, the flesh-brush, and
"*don't fret.*" My grandmother had never heard of
Mr. Rogers, any more than he had heard of her, but
they both hit upon cheerfulness as a quality most
conducive to long life, as Lord Bacon, Addison, and
others had done before them.

Fox, Pitt, Burke, Grattan, Wellesley, each, 'tis known
Often had scarce a guinea of their own:
See, in loud pomp, our vile Nefandus rides,
Wrapp'd in foul wealth, and much just scorn besides.

Fragment.

(Written in sickness.)

Hail thou sweet orb, of purest beam,
 That bid'st the world's loud tumults cease!
 Again thou bring'st my lonely dream,
 With silent evening's holy peace!
 Hail beauteous fount of sacred light!
 From earthly tears and pleasures free,
 Soon shall my spirit wing its flight,
 And thou wilt shine—but not for me!

What is this thing of toil called life—
 Love, hate, hope, fear—that mock our doom?
 After a moment's anxious strife,
 All sleep united in the tomb!

* * * *

Yet let me turn to yon dear spot,
 Where my loved parent's ashes lie,
 "By all, save me, perchance, forgot,"
 So soon could all her virtues die?
 Thou, that didst kneel in hopes and fears
 And my first smile with rapture see,
 Thou art but dust—flow, flow my tears!
 But who will pour a tear for me?

HOLKHAM CHURCHYARD,

September, 1830.

Droll dungeon of learning! Poor, ill-favour'd D—
 Says he's like the Venus de Medici,
 For he's slightly in need—and so is she!

The assertion is a bold one, but the late Mr. D—
 was the ugliest man at the bar. He was also one of

the least successful, but assuredly not the most unhappy. In claiming a resemblance to the Medicean Venus, he was, no doubt, thinking of Dr. Macnish's rather fallacious aphorism, "A well-made woman is always a little *in-kneed*. In proof of this, it is only necessary to refer to the Venus de Medici."

I have seen all the principal comedians of my time, from Liston and the elder Matthews, to Sothern and Toole, but I have seldom seen a finer bit of comedy than D—— one day unconsciously performed to a crowded court, when, *more suo*, he asked a witness, "Do you mean to say, sir, that you're a professor of music, and don't know what an accommodation bill is?"—*R.I.P.*

In a summer-house in Holland Park there is the following inscription by the third (and greatest) Lord Holland:—

"Here Rogers sat, and here for ever dwell
With me those 'pleasures' which he sang so well."

As long ago as the autumn of 1840, the following couplet might have been subjoined:—

"A mighty short '*for ever!*' Soon 'tis clear
You and your 'pleasures' dwell no longer here."

Here we feel, every hour,
That "Patience is Power."

LORD CHANCELLOR'S COURT,
2nd November, 1848.

I made the above remark to a suitor whose patience was worn out by Lord Cottenham's vexatious delays, and who had been weak enough to write a private letter to his lordship complaining of them.

I daresay I was thinking of the "knowledge is power" of the greatest man who ever filled the office of Lord Chancellor—Lord Bacon.

The expression "*scientia potestas est*" will be found in one of Lord Bacon's "*Meditationes Sacræ*"—the "*Meditation on Heresies*"—and I believe it would have been absolutely impossible for either of my venerable friends, Dr. Birkbeck or Mr. Charles Knight, to attribute such an expression to Lord Bacon, without knowing where to find it in his writings.

The late Lord Lytton has a whole chapter of eloquent observations in "*My Novel*," and a long note, to make his readers believe that Lord Bacon was "the last man in the world to have said anything so pert and so shallow" as that "knowledge is power," which Lord Lytton goes on to state has been probably assigned to Lord Bacon upon the mere authority of the index to his works. Now it strangely happens that in the best edition of Lord Bacon's works which existed at the time of the publication of

"My Novel" (Mr. Basil Montagu's), the expression "knowledge is power" does occur in the index ; but the only reference is to Lord Bacon's invaluable remarks upon "the power and commandment of knowledge" in "The Advancement of Learning," where certainly no such expression as "scientia potestas est," or "knowledge is power," can be found. Lord Lytton perhaps assumed, in consequence, that it was not to be found in Lord Bacon's works at all. Where Lord Lytton found the pertness and shallowness of the great truth that "knowledge is power" it would have been idle to ask him, who had probably never asked himself. But not even the Poet Laureate or the ghost of "bright, broken Maginn" would now reply to Lord Lytton with a *tu quoque* on this point.

"Pray, is not ignorance power too?" Lord Lytton makes Parson Dale say. We may call it so by a perversion of language, but surely we had better call it an obstacle or an obstruction rather than a power. Who would define incapacity as the power not to do? When Lord Lytton was in office, did he ever feel that his ignorance of the business before him was power? If so, it must have been power to his adversaries; for to himself it was only weakness and distress. There seems, at least, to be this distinction between truth and knowledge on the one hand, and error and ignorance on the other, that while the latter can, and ought to be, removed and annihilated,

the former cannot be either the one or the other, but are indestructible and everlasting.

Equity's mill grinds very slow—
A truism this—some suitors know ;
But flourishing fraud full often finds
That Equity's mill to powder grinds.

The word "Equity" is here used in the sense of "Chancery-Law;" or, as Dr. Johnson defines it, "The rules of decision observed by the Court of Chancery, as distinct from the literal maxims of law."

Sir Charles Pepys, afterwards Lord Chancellor Cottenham, bestowed very great pains on the preparation of some of his judgments when he was first appointed Master of the Rolls. The case of *Trevelyan v. Charter* (*Law Journal Reports*, N. S., vol. iv., 209 Eq.) was decided by him in 1835. The facts were these: Thomas Charter, a Solicitor, the Steward and Agent of Sir John Trevelyan, being employed by him in 1788 to sell an estate, purchased part of it himself at an undervalue, and secretly in the name of another person. In 1806 Charter was dismissed from his situation as Steward; and in 1807 all actions and matters in difference between Sir John and him were referred to a barrister, who made his award in 1808, when mutual releases were executed. Sir Charles Pepys—47 years after the purchase, and 28 years after the award—set aside the purchase, holding *first*, that the principal, having been kept ignorant of the fraud, was not bound by the lapse of

time; and *secondly*, that he was not bound by the award and release, on the ground that the deception had been continued, and that the purchase and the fraudulent circumstances relating to it had not been brought under the consideration of the Arbitrator. Part of the Judgment is in the following terms:—

“In cases of fraud, time is no bar, otherwise justice would be defeated, not because the case was not a proper one for the interference of the Court, but because the deception was continued by the author of the fraud so long as to enable himself to reap the benefit of it.

“It is fitting that those who thus appropriate the property of others should be assured that in this Court no time will secure to them the fruits of their dishonesty, but that their children’s children will be compelled to restore the property of which their ancestors have fraudulently possessed themselves. Time is no bar, except the party, having full information of his injuries and rights, allows time to elapse without seeking relief.

“The result, therefore, is that there must be a decree to set aside the conveyance, allowing for lasting improvements, and the defendant must pay the costs of the suit.”

From this decision there was an appeal to the House of Lords, but which was dismissed with costs—Lord Lyndhurst, as Chancellor, said :

“ The result to which I think the evidence tends is, that the property was purchased by Thomas Charter in the name of James Charter, at the time when Thomas Charter was acting as Agent to Sir John Trevelyan, and employed by him to dispose of it ; that Sir John Trevelyan was not informed at the time of the true nature of this transaction ; that the purchase money paid was greatly below the value ; that it was studiously concealed from Sir John Trevelyan at the time of the reference in 1808 that Thomas Charter had been the purchaser ; and that this appears to have been discovered only in consequence of the application made on the part of Thomas Malet Charter in 1825. Under these circumstances time cannot be set up as a bar to the suit, which, in other respects, rests upon the clearest principles of equity.”

Lord Campbell said : “ It is impossible not to feel most deeply for the family of Thomas Charter. It may be said that he sins in his grave ; for by frauds which he committed in his lifetime, his family is now brought into a state of great affliction. . . . For the reasons stated so very lucidly by my noble and learned friend, I am obliged to come to the conclusion that the remedy is not barred by lapse of time, and that the parties had never, with the knowledge of the facts, done anything which can be considered to be an acquiescence in the matter complained of.”

What perfect trash it seemed to be for seven times
seven years!

But very plain, and droll enough, its use at last
appears.

“Keep a thing seven years, and you’ll find a use for it,” says the proverb, but this is not always so. The use of a thing may be clear enough at last, but may not become manifest for far more than seven years. Here is an example :

I learned arithmetic from a “good old book” called “Vyse’s Tutor Guide,” published about a century ago. There were a few things in it which would now justly be held to render it unfit for a school-book. Among other strange questions, were some which the author called “Genealogical Paradoxes,” one of which was to the following effect, but expressed in an old-fashioned manner : “Who was he that was born before his father, begotten before his mother, and was the first man that his grandmother was united to ?” The answer to this precious puzzle was “Abel.” He was born before his father, for Adam was created, not born ; he was begotten before his mother, Eve, who was not begotten at all ; and he was (according to Vyse) the first man that was united to his grandmother—the Earth. Anything more preposterous than this it would be difficult to conceive, and Vyse himself could scarcely have imagined that any good could come of it. Yet as

late as the autumn of 1865, an acquaintance with it might have prevented one of the best and most distinguished of Adam's descendants, Mr. Gladstone, from making, in his celebrated address at Edinburgh, on Ancient Greece, a rather ludicrous misquotation from Milton :

"Never, probably," said the accomplished orator, "has there appeared upon the stage of the world so remarkable an union as in the Greeks, of corporal with mental excellence. . . . The Greek was in this respect like Adam in the noble verse of Milton—

"For contemplation and for valour BORN."

I ventured to remind Mr. Gladstone (by letter) that the last word he had intended to quote from Milton was "*form'd*," and that *Adam was not born* ; and I received from him (through his Secretary, Mr. Gurdon), a polite reply, thanking me for the correction.

I was familiar enough with Milton (having often read and pondered over him in my youth, on the sand-hills at Holkham, when, from having to grow about four inches taller every year, I was incapable of any severe work), and the above misquotation might have been observed by me if I had never heard of Vyse. Whether it would or not is, of course, more than I can say, but an acquaintance with Vyse would in all probability have saved

Mr. Gladstone from making the misquotation. It is something to have corrected Mr. Gladstone, and been thanked by him for it. Shall I not be as great in literature as Southwell, the clerk in the Parliament office, who, having been able to write to Hanover that Queen Anne was dead, valued himself ever afterwards "upon having done what was too hard for Addison?"

You may prevent bronchitis as over these marshes
you jog,
If you suck a morsel of ginger and don't talk in the
cold or a fog.

LOWESTOFT,
November, 1855.

Difficile est proprie communia dicere.—HOR.

The foregoing couplet may perhaps be remembered from the extreme absurdity of applying verse to such a matter, notwithstanding the famous precedent of Benjamin Bolus:

"When taken,
To be well shaken."

I care not, provided it *be* remembered, for it certainly states a useful truth, enabling every man to *prevent* bronchitis at the expense of about a shilling a year. To *cure* bronchitis is of course a very different matter.

Experto credite.—Virgil (as Dr. Pangloss would say). Upwards of twenty years ago, I had three attacks of bronchitis, in three different winters. Each attack confined me to the house for above six weeks, and the effect of the medicines (given I suppose to produce nausea), was to destroy all appetite, and take away all enjoyment from life, and render it a burthen. When the next winter was approaching it occurred to me that, if I could hit upon any contrivance for making the air remain in the mouth, and get warm before it reached the throat, there could be nothing to cause bronchitis, and upon a little reflection it seemed pretty clear that the mere act of sucking anything (even a pebble or a tamarind stone), would necessitate the air remaining in the mouth, and becoming warm, before it reached the throat. I did not like using lozenges (for one seldom knows what they are made of), or anything which would dissolve in the mouth (such as Gum Arabic, &c.), and I preferred something which would serve as a mere *quid*. There was the authority of one of Shakspeare's clowns for having "ginger hot i' the mouth," so I had some common Jamaica ginger cut into small pieces, one of which I put into my mouth whenever I went out in cold or foggy weather, when I also abstained from talking. From mere habit I soon found it impossible to do without my bit of ginger, and *I have never had bronchitis since I resorted*

to it. My throat is now no more tender than any other man's, and I never wear a respirator, or wrap up in shawls, &c., and I do not catch cold once a year. However, I avoid draughts of cold air as much as possible, bearing in mind the Spanish proverb, "Al toro y al ayre darles calle, To a bull and a draught of air give way."

At the end of the winter I told my medical attendant by what means I had been able to dispense with his services. He congratulated me upon it, but good-humouredly observed that my plan was a perfect fraud on the medical profession, and that if everybody practised it there would be few cases of bronchitis in the country. I also spoke on the subject to another eminent medical man, the physician to one of the principal Life Assurance Offices, and he observed, "Whether I shall prescribe this for any of my patients is no business of yours. I shall practise it myself," and I believe he does so to this day, as I do.

If a late distinguished Prime Minister, Lord Palmerston, had adopted my precaution on his last carriage drive at Brompton, he might perhaps have avoided the attack of bronchitis which killed him, and might have been the dictator and delight of the House of Commons a few years longer. Mr. Disraeli (to whom it happens that even these observations are not novelties) may profit by the example.

Lord Cairns, too, who (*sine maculâ* as all admit) raised himself to the Woolsack at an earlier age, I believe, than any other man ever did (except our great Whig Chancellor Somers), may perhaps in some way become cognizant of this dull note, and even profit by it, in places where the climate is anything but that of Mentone or Bournemouth. That his Lordship is rather deficient in robust health, all men of all parties must deplore; but I have sometimes thought that he is also deficient in a wholesome aversion to such permanent resting-places as Westminster Abbey and St. Paul's.

As we rode by the slow stage waggon, as we ride by
the rapid train—
Hopes, fears, joys, griefs, loves, hatreds, for aye their
seats retain—
Our masters on all journeys till we pass from life again.

The strength of my youth
Is with me no longer:
The strength of this truth
Becomes every day stronger.

Provoking Misprints.

1. In the stereotype edition of John Foster's celebrated essay, *On a Man's Writing Memoirs of Himself*, we read as follows :—

“ On the review of a character thus grown, in the exclusion of the religious influences to the *nature* and perhaps ultimate state, the sentiment of pious benevolence would be,—I regard you as an object of great compassion, unless there can be no felicity in friendship with the Almighty, unless there be no glory in being assimilated to his excellence, unless there be no eternal rewards for his devoted servants, unless there be no danger in meeting him at length, after a life estranged equally from his love and his fear.”

The word “ *nature* ” should be “ *mature*.”

2. At the end of his eloquent “Sketch” of the eminent politician, William Windham, Lord Brougham put together the nineteenth and twentieth and the sixty-seventh and sixty-eighth lines of Ovid's Elegy on Tibullus (*Amorum*, lib. iii. el. 9), with an admirable translation, as follows :—

“ Scilicet omne sacrum Mors importuna profanat,
 Omnibus obscuras injicit *ille* manus—
 Ossa quieta, precor, tutâ requiescite in urnâ,
 Et sit humus cineri non onerosa tuo ! ”

“ Relentless death each purer form profanes,
Round all that's fair his dismal arms he throws—
Light lie the earth that shrouds thy loved remains,
And softly slumbering may they taste repose ! ”

The sketch of Windham (“ Weathercock Billy ” my father used to call him) was first printed in the *Edinburgh Review* for October, 1838 (vol. lxviii.), and has appeared, without correction, in all the editions of Lord Brougham's *Historical Sketches of Statesmen*. When writing his translation, Lord Brougham was probably thinking, not of the pale goddess present to Ovid's imagination, but of the “ King of Terrors ” mentioned by Bildad, the Shuhite, in the Book of Job (chap. xviii. v. 14), or, more probably still, of the sublime description of Death in *Paradise Lost*, which his lordship had applied with such terrible effect to George IV. as the unproduced prosecutor of Queen Caroline. It is strange, however, that he should have so misquoted Ovid as to make Death *feminine in the first line and masculine in the second*, and that this error should not have been noticed by the editor of the *Edinburgh Review*, or by any person concerned in any of the numerous editions of Lord Brougham's *Statesmen of the Time of George III.* Of course the “ ille ” in the second line should be “ illa,” and the misprint may have been attributable, in the first instance, to bad penmanship.

3. I am sorry to add that the misprints in what is called the collected edition of Lord Brougham's works are very numerous. The following extract gives two of the most preposterous :—

“Johnson never would have dared to make such a translation as Dryden's of

‘Altos
Deperisse omnes epotaque flumina Medo
Prandente.’

‘Rivers, whose depth no sharp beholder sees,
Drink up an army's dinner to the lees.’”

Here both the Latin and the English are utter nonsense. “*Deperisse omnes*” should be “*Defecisse amnes*,” and “*Drink up*” should be “*Drunk at*.” These blunders could not be accounted for by bad handwriting only, and there must have been extreme negligence to retain them through several editions.

4. The illustrious *Punch* himself is not infallible, and has too much wit and honesty to pretend to be so. In his loving notice of Mark Lemon, on June 4, 1870, *Punch* thus misquotes the Marquess Wellesley's beautiful epitaph on Miss Brougham, which is now on the staircase of Lincoln's Inn Chapel :—

“ I, pete cœlestes, ubi nulla est cura, recessus,
Et tibi sit, nullo mista *labore*, quies.”

The word “*labore*” should have been “*dolore*,” and the alteration is the reverse of an improvement. Mark Lemon believed in the Gospel of Work, and never could have supposed that the happiness of Heaven would consist in idleness and vacancy, or having nothing to do.

Few Members of either House (except Lord Brougham) have been more ready with a reply than the late Earl of Derby. On one occasion, when he was sitting in the House of Commons as Lord Stanley, it strangely enough happened that his Lordship, and O’Connell, and Daniel Whittle Harvey all concurred in opinion on some matter. Lord Palmerston could not resist the temptation to say something upon this, and observed, “What a wonderful administration it would be that should contain the noble Lord, the honourable and learned Member for Dublin, and the honourable Member for Colchester !” Lord Stanley’s retort was instantaneous, “More wonderful still would be an administration which the noble Viscount could not join !”

I have read Lord Campbell’s pretended “Lives” of Lord Lyndhurst and Lord Brougham with

unspeakable disgust. The best possible criticism of the book is suggested by the following extract from Lord Lyndhurst's speech in defence of Watson in 1817:—

“What is the character of falsehood? Who has lived in the world, and has at all examined the operations of the human heart and mind, who does not know that this is the usual and proper character of falsehood, that it does not wholly invent. Falsehood engrafts itself upon truth, and by that artifice misleads and deceives; truth is exaggerated; things that exist are discoloured or distorted; these are the usual operations of falsehood.”

“A lie which is half a truth is ever the blackest of lies :

A lie which is all a lie may be met and fought with outright ;

But a lie which is part a truth is a harder matter to fight.”—(TENNYSON.)

Lord Brougham's by-play was sometimes terrific, and its effect indescribable. “I am glad, my lords,” said the Earl of Wicklow rather pompously on one occasion, “that the noble and learned Lord has given this explanation, otherwise I should have thought it my duty to take the sense of the House upon the

subject." "And no doubt you'd have carried it away with you," said Brougham, in a tone and manner which seemed to wither Lord Wicklow up.

The first Judge I heard in the Court of Chancery was Sir Anthony Hart, who was Vice-Chancellor before Sir Launcelot Shadwell, and was appointed Lord Chancellor of Ireland in November, 1827. The only remark of Sir Anthony's which I can remember was not uttered from the judgment-seat. It was this: "For arriving at a right decision on a question of fact, the best contrivance—next to the dice-box—is the jury-box."

The word "Conscience" is not to be found in the authorized version of the Old Testament, nor the word "Sacrament" in that of the New.

Regula Generalis

to be observed by travellers in omnibuses and railway carriages—

Sit square
And you'll sit fair.

Since I began work (on Midsummer-day, 1827) several thousand *Regulæ Generales*—general rules,

orders, and regulations—have been made by the judges for the time being of the Courts of Equity and Law in England, most of which have afterwards been found imperfect. If the public will strictly observe the above *Regula Generalis* (which I have ventured to issue on my own responsibility, and which the public cannot disregard without itself paying the penalty), I think more comfort will be caused, and more discomfort avoided, than by the greater part of the *Regulæ Generales* which the courts have often made it my duty to learn, and then—to forget. I remember my kind and venerable friend, Mr. Tidd, at a time when he had eight pupils on the Bench, one of them Lord Chancellor (Lyndhurst), and another Lord Chief Justice of England (Denman), lamenting the great labour of “forgetting,” which successive law reforms imposed upon him. However, I shall not complain. That difficulty, like the free and independent weather of England, is the same for all old stagers who have to do with it.

The only historical writer on the Judicial Bench at present, so far as I know, is Vice-Chancellor Bacon. Almost half a century ago, he wrote “*The Life and Times of Francis the First*,” the second edition of which (published in 1830) is now before me. It is an extremely interesting work, and of course manifests

throughout an habitual love of truth and accuracy. How many of the barristers practising before the very learned Vice-Chancellor know of the existence of his historical work? Would it be a very hardy assertion to state that not one of them has ever read it?

Sir Samuel Romilly's Monument.

(To the Editor of the *Times*.)

"SIR,—Walking this afternoon in Westminster Abbey, I was asked by two gentlemen (evidently foreigners) where Sir Samuel Romilly's monument was?

"Perhaps some member of the Legislature or the Bar (they are all law reformers now) will inform me how an Englishman is to answer this question without a blush.

"I am, Sir, your very obedient servant,

"PALMAM QUI MERUIT FERAT."

"Clapham, *August* 18, 1851."

The above letter was published by me in the *Times*.

The Benchers of Gray's Inn are as remiss as the rest of the world in doing honour to Sir Samuel

Romilly's memory. As to the great Liberal party, I fear it has never been distinguished for its gratitude. What chance is there of its ever erecting a monument to Lord William Russell in Lincoln's Inn Fields, or to Algernon Sydney in Leicester Square? Yet Russell and Sydney laid down their lives for Liberty. If, however, gratitude is according to the poor deaf-mute's beautiful definition of it, "*the memory of the heart*," I fear we must not look to any great party or body of men for it. Is there a better chance of receiving it from the people of any country generally? I doubt this very much. These things are but repetitions of a sad old story, as humiliating as it is true, and which once called forth from Him to whom all hearts are open, and from whom no secrets are hid, the enquiry, "Were there not ten cleansed, but where are the nine?"

I told my son, who stands nearly six-feet-three, that Aristotle and Lord Bacon, though differing in so many opinions, agreed in this, that tall individuals, like tall houses, were apt to have their upper stories badly furnished. He replied (as became a young man of the present age), "I dare say both fellows were short, and would have been tall if they could."

(1865.)

One of my small Law Reforms.

In the year 1859, I forwarded to Mr. Malins (the present Vice-Chancellor Sir Richard Malins), who was then M.P. for Wallingford, the draft of the 6th section of the Divorce Court Amendment Act, 22 & 23 Vict. c. 61, which is as follows:—

“6. On any petition presented by a wife praying that her marriage may be dissolved by reason of her husband having been guilty of adultery coupled with cruelty, or of adultery coupled with desertion, the husband and wife respectively shall be competent and compellable to give evidence of or relating to such cruelty or desertion.”

In reply, I had the honour to receive the letter of which I subjoin a copy. I have several times, in the House of Lords and elsewhere, heard the above clause attributed to the late Sir Cresswell Cresswell, but he certainly had nothing to do with it until after it had become law.

“HOUSE OF COMMONS, *August 8, 1859.*

“DEAR SIR,—I am much obliged for the suggestion contained in your letter, and the accompanying clause for insertion in the Divorce Bill. I think your suggestion a very valuable one, and having satisfied myself, by reference to the report of the case you mentioned and otherwise that it was right, I went over to the

Attorney-General on Friday night, and told him that I should propose the clause, and that I had received it from you. He said he was alive to the importance of the point, and that he himself had a clause in his pocket having the same object in view, which he proposed to insert. On looking at the clause with which he had been supplied, we both thought yours the better, and he has agreed to propose its insertion on going into committee on the Bill this evening. You may therefore consider your object as accomplished, and I have been very glad to comply with your wishes in this matter, and to be the means through you of doing a public service at the same time.

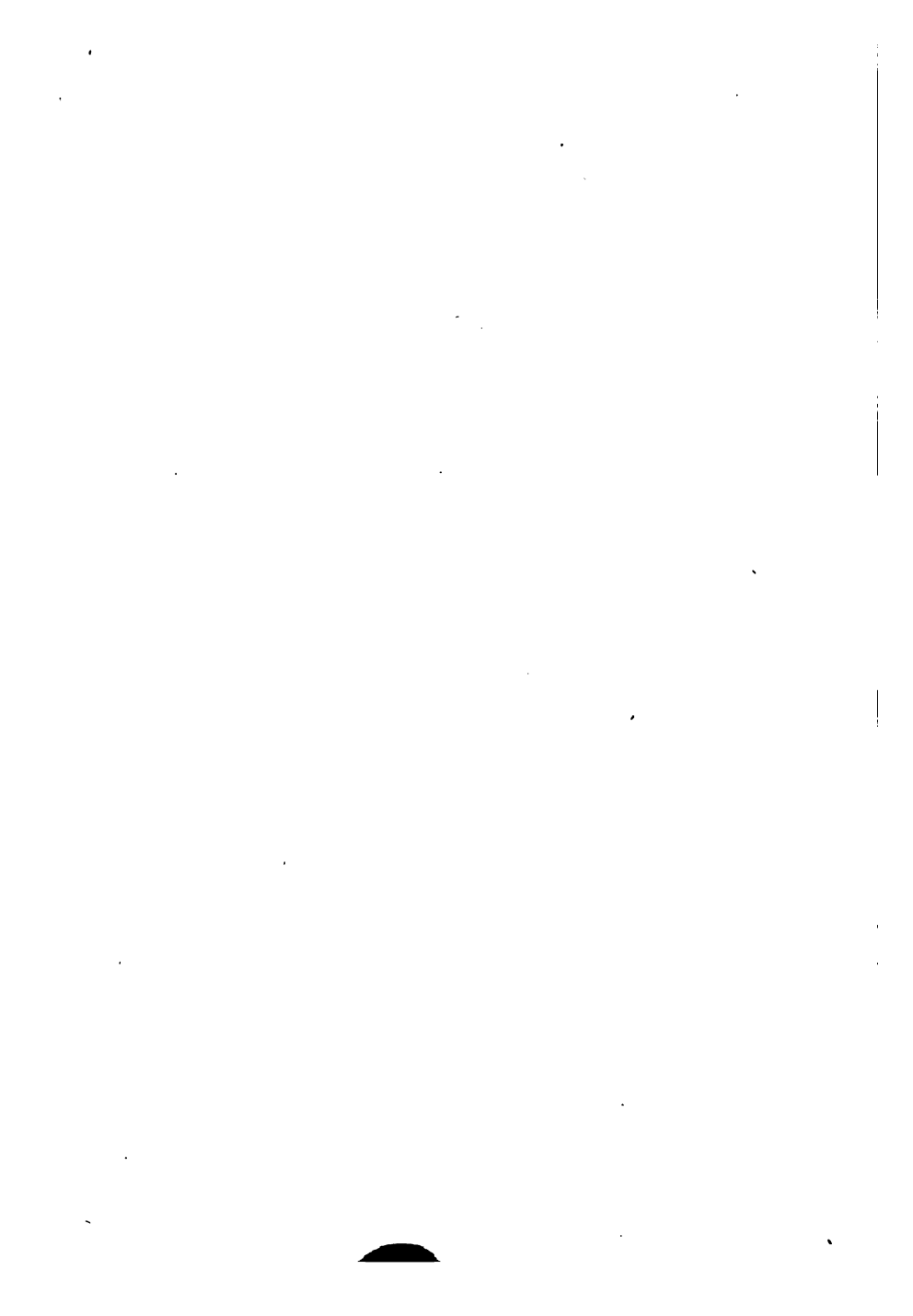
“ Believe me, yours faithfully,

(Signed) “ RICHARD MALINS.

“ GEORGE BILLER, Esq.”

So far as I know, the foregoing is the only piece of public legislation which has originated with a Holkham man since the days of Lord Chief Justice Coke.

(See Appendix C.)



APPENDIX.

[A.]—PAGE 13.

There are few things in our language more worthy of profound attention than the following observations of Archbishop Whately, which I extract from the 4th of his “Introductory Lectures on Political Economy” :—

“*Connection of Political Economy with Natural Theology.*
—In nothing, perhaps, will an attentive and candid inquirer perceive more of the Divine Wisdom than in the provisions made for the *progress of society*. But in nothing is it more liable to be overlooked. In the bodily structure of man we plainly perceive innumerable marks of wise contrivance, in which it is plain that Man himself can have had no share. And again, in the results of instinct in brutes, although the animals themselves are, in some sort, agents, we are sure that they not only could not originally have designed the effects they produce, but, even afterwards, have no notion of the contrivance by which these were brought about. But when human conduct tends to some desirable end, and the agents are competent to perceive that the end is desirable, and the means well adapted to it, they are apt to forget that in the great majority of instances those means were not

devised, nor those ends proposed, by the persons themselves who are thus employed. Those who build and who navigate a ship have usually, I conceive, no more thought about the national wealth and power, the national refinements and comforts, dependent on the interchange of commodities, and the other results of commerce, than they have of the purification of the blood in the lungs by the act of respiration, or than the bee has of the process of constructing a honey-comb.

“Most useful indeed to Society, and much to be honoured, are those who possess the rare moral and intellectual endowment of an enlightened public spirit; but if none did service to the public except in proportion as they possessed this, Society, I fear, would fare but ill. Public spirit, either in the form of patriotism which looks to the good of a community, or in that of philanthropy which seeks the good of the whole human race, implies not merely benevolent feelings stronger than, in fact, we commonly meet with, but also powers of abstraction beyond what the mass of mankind can possess. As it is, many of the most important objects are accomplished by the joint agency of persons who never think of them, nor have any idea of acting in concert, and that with a certainty, completeness, and regularity which probably the most diligent benevolence, under the guidance of the greatest human wisdom, could never have attained.

“For instance, let any one propose to himself the problem of supplying with daily provisions of all kinds such a city as our metropolis, containing more than three millions of inhabitants. Let him imagine himself a head commissary, entrusted with the office of furnishing to this enormous host their daily rations. Any considerable failure in the supply, even for a single day, might produce the most frightful dis-

tress ; since the spot on which they are cantoned produces absolutely nothing. Some indeed of the articles consumed admit of being reserved in public or private stores for a considerable time ; but many, including most articles of animal food, and many of vegetable, are of the most perishable nature. As a deficient supply of these, even for a few days, would occasion great inconvenience, so a redundancy of them would produce a corresponding waste. Moreover, in a district of such vast extent as this " province " (as it has been aptly called), " covered with houses," it is essential that the supplies should be so distributed among the different quarters as to be brought almost to the doors of the inhabitants ; at least within such a distance that they may, without an inconvenient waste of time and labour, procure their daily shares.

" Moreover, whereas the supply of provisions for an army or garrison is comparatively uniform in kind ; here the greatest possible variety is required, suitable to the wants of various classes of consumers.

" Again, this immense population is extremely fluctuating in numbers, and the increase or diminution depends on causes of which, though some may, others can not, be distinctly foreseen. The difference of several weeks in the arrival, for instance, of one of the great commercial fleets, or in the assembly or dissolution of a parliament, which cause a great variation in the population, it is often impossible to foresee.

" Lastly, and above all, the daily supplies of each article must be so nicely adjusted to the stock from which it is drawn—to the scanty, or more or less abundant, harvest, importation, or other source of supply, to the interval which is to lapse before a fresh stock can be furnished, and to the

probable abundance of the new supply, that as little distress as possible may be undergone; that on the one hand the population may not unnecessarily be put upon short allowance of any article, and that on the other hand they may be preserved from the more dreadful risk of famine, which would ensue from their continuing a free consumption when the store was insufficient to hold out.

“Now, let anyone consider this problem in all its bearings, reflecting on the enormous and fluctuating number of persons to be fed, the immense quantity and the variety of the provisions to be furnished, the importance of a convenient distribution of them, and the necessity of husbanding them discreetly; and then let him reflect on the anxious toil which such a task would impose on a board of the most experienced and intelligent commissaries, who after all would be able to discharge their office but very inadequately.

“Yet this object is accomplished far better than it could be by any effort of human wisdom, through the agency of men who think each of nothing beyond his own immediate interest, who with that object in view perform their respective parts with cheerful zeal, and combine unconsciously to employ the wisest means for effecting an object, the vastness of which it would bewilder them even to contemplate.”

[B.]—PAGE 33.

I have not the slightest idea who “E. W.” is or was. The little book before me is entitled “Observations, &c., by E. W.,” and the second edition of it was published in 1837 by W. J. Cleaver, then of Baker Street, London.

The following are some of the "Observations" which seem to me to possess unusual merit :—

" Candour is the virtue which makes us conceal nothing of our *neighbours'* faults.

" The toad-eater will be anything you desire him—except *a man*.

" After Emma left me, I certainly found (in spite of all philosophy may say) that there was such a thing in nature as *a vacuum*.

" It is true in society, as well as in the mere fact, *we all look little in our neighbours' eyes*.

" The blush is the only colour art cannot paint.

" It is *self-love* that (reviewing my folly) makes me *hate myself*."

[C.]—PAGE 103.

The clause in the text met with at least as much praise as it deserved. For example, Mr. Macqueen, Q.C., in his "Practical Treatise on the Law of Matrimony, Divorce, and Legitimacy," writes concerning it as follows : " This clause shews that the empire of reason is gradually, and but gradually, assuming the ascendant " (p. 272). It was, however, very imperfect, and, in April, 1866, I sent the following clause and letter to the present Lord Chancellor (then Sir Hugh Cairns), who told me that he intended to move the clause in Committee, but unfortunately he was prevented by his other important engagements from attending the House while the Bill was in Committee :—

" In all proceedings between husband and wife as to "cruelty or desertion, whether such proceedings also relate to

“adultery or not, the husband and wife respectively shall be
“competent and compellable to give evidence of and relating
“to such cruelty or desertion.”

“4, TAVISTOCK TERRACE, WESTBOURNE PARK,
“LONDON, W., 26th April, 1866.

“DEAR SIR,—May I respectfully request your assistance in adding the annexed clause to the Divorce and Matrimonial Causes Bill, now before the House of Commons?

“In 1859 I prepared the 6th section of the Divorce Court Amendment Act, 22 and 23 Victoria, cap 61, as you will see by the accompanying letter from Mr. Malins, which I received at the time. The only object I had in view was to provide a remedy in a particular case in my own practice, in which a wife instructed me that her husband had on several occasions been guilty of gross cruelty to her when nobody was present but themselves. I at first prepared a clause to enable a wife under such circumstances to prove the alleged acts of cruelty, and I forwarded it to the Lord Chancellor (Lord Campbell), who promised that the subject should have proper attention, and who in fact sent the clause I had prepared to the Attorney-General (Sir Richard Bethell). As I found, however, that the Bill had gone down to the House of Commons, and the matter had not been mentioned in the House of Lords, I sent the clause to Mr. Malins, having in the meanwhile amended it, by giving the husband the right, and subjecting him to the liability, to be examined concerning the alleged acts of cruelty.

“Of course, any enactment prepared under the above circumstances, though perfectly answering the object I had

in view, was likely to prove very defective when it came to be applied to the general business of the Divorce Court; and the cases of *Whittal v. Whittal*, 30 L. J. Pr. and Mat. Cts. 43, and *Hudson v. Hudson*, 33 L. J. Pr. and Mat. Cts. 5 (cited in "Taylor on Evidence," p. 1152), shew some defects in the law as it now stands, which my proposed clause would, I think, remedy.

"I beg to apologize for thus intruding upon your valuable time, and have the honour to remain,

"Dear Sir,

"Your obedient and faithful servant,

(Signed)

"GEORGE BILLER.

"Sir HUGH CAIRNS, M.P.,

"&c. &c. &c."

Three years afterwards it was provided by the 3rd section of the "Evidence Further Amendment Act, 1869," that "The parties to any proceeding instituted in consequence of adultery, and the husbands and wives of such parties, shall be competent to give evidence in such proceeding." Whether being made *competent* to give evidence on one side, they are therefore *compellable* to give evidence on the other, may, perhaps, still be questioned. *Est quadam prodire tenus, si non datur ultra.*—HOR. *Epist.* I. l. 32.

A LATE CHANCERY OFFICE.

The Accountant-General's Office in Chancery (now abolished) was always a "favourite aversion" of mine. The pernicious system of gratuities flourished there several years after it ceased in the other offices of the court, and the

hundred holydays, during which the suitors could not receive a farthing of the funds ordered to be paid to them, formed a disgraceful and cruel grievance. On the 9th August, 1852, I published the following letter in the *Times* :—

“ THE ACCOUNTANT-GENERAL’S OFFICE IN CHANCERY.

(To the Editor of the *Times*.)

“ SIR,—I have a poor relation who is entitled, under an order of the Court of Chancery, to an annuity of about £40, payable half-yearly, on the 24th of February and the 24th of August ; but for the payment which becomes due on the 24th of August she has every year to wait till the 2nd of November.

“ I have also a cousin who is entitled to a rent of £250, which the Accountant-General was some years ago ordered to pay him, by quarterly payments, on the four usual days ; but he has always to wait till the 2nd of November for the payment which becomes due on the 29th of September.

“ I am myself entitled to the dividends of some reduced annuities, which, if the fund were not in Chancery, I could receive at the Bank on the 10th or 12th of October ; but now I must wait till the 2nd of November before I can get them.

“ There are many thousands of suitors subject to these and similar inconveniences, which are surely unjust and oppressive, unless the public good requires them. Yet the only reasons which the Lord Chancellor gives for their continuance are such as it is impossible to listen to with respect, or even with patience. They are, in truth, an outrage upon common sense and common decency. Every year his lordship issues a general order for closing the Accountant-

General's Office, from the 19th of August till the 28th of October (which, for all purposes of real business, means the 2nd of November, the first day of Michaelmas Term), and the reasons for issuing such order are stated on the face of it, in the following recital:—‘Whereas, it is proper that the accounts kept by the Accountant-General of this Court should be examined and compared, in order to settle the same. And whereas it will require considerable time to perfect such examination, and it is necessary that a time should be appointed for closing the books of the Accountant-General for the purposes aforesaid.’ Now, sir, the Accountant-General (except that he cannot misapply, or of himself dispose of the funds and cash placed in his name), is neither more nor less than the banker and stockbroker of the suitors of the Court. It is no doubt necessary that his books should be accurately kept and their accuracy ascertained; and most splendidly, not to say enormously, does the public pay for having this done. But can it be requisite or proper to shut up the office entirely for ten weeks for this purpose? Fancy, if you can, the Bank of England, or any private banking-house, or any firm of stockbrokers, giving notice to their customers that their offices will be altogether closed for ten weeks, to enable them ‘to examine and compare in order to settle’ their accounts for the current year. Would not any persons that could issue such a notice be considered fit to become inmates of Bethlem or St. Luke’s? Yet this is the course of the Court of Chancery; a part of that admirable system of dispensing justice ‘under which,’ says Lord St. Leonards, ‘the country has arrived at an unparalleled degree of prosperity.’ But the matter is worse even than this. The Accountant-General and his clerks are bad enough in all conscience, but they are not quite such

imbecile creatures as the Lord Chancellor's order would make them appear. They do not require ten weeks every autumn to examine the year's accounts; and, in fact, they scarcely consume three weeks out of the ten in any such dull work. The rest of the time they are to be found, not in Chancery Lane or Threadneedle Street, but at country seats, at watering places, and on the Continent. As Mr. Dickens writes it, 'they are on the canals of Venice, at the second cataract of the Nile, in the baths of Germany, and sprinkled on the sea-sand of the English coast.' The recital I have copied above is only a pious fraud, an annual work of fiction with which we poor suitors may entertain ourselves while we are kept out of our money—in plain English, a lie, intended to deceive that many-headed but unthinking dupe—the public, and signed by the Lord Chancellor only as a matter of course! If written with candour and truth it would be expressed in some such terms as the following:—
'Whereas this Court thinks fit that its Accountant-General and his clerks should have many holydays, and that they should all take their holydays at once.' But this would be seen to be too bad. The Court is, therefore, driven to the hard necessity of making the Accountant-General and his clerks seem even worse than they are, in order to enable them to steal away for six weeks or two months' holydays, under the false pretence that they are all the while examining accounts in Chancery Lane. In the middle of the nineteenth century this is our administration of equity, this our public morality! It is, I conceive, impossible to be guilty of a contempt of Court in writing or speaking of these matters. Whatever amount of contempt, public or private, such abuses may call forth, there can surely be no guilt in it. The offices of the Court of Chancery have long been a disgrace

to the country, and the Accountant-General's office is a disgrace to all the rest. It is possible that this may have been the Lord Chancellor's view when he did not abstain from signing the order I have mentioned. His Lordship may have considered that it would be labour in vain to do repairs, in a case where it will assuredly be requisite to pull down and build anew from the foundation. If, indeed, his Lordship will, for only one morning, give the Accountant-General's office that sort and degree of attention which a prudent man pays to his own immediate interests (and one may be pardoned for suggesting that this will be no more than his duty), it will be impossible for that office to exist for six months longer in anything resembling its present state.

"The Post-office had its Rowland Hill. Has the Country no Rowland Hill for the Court of Chancery ?

"I am, Sir, your very obedient servant,

"COGITANS."

The above letter was noticed by Lord St. Leonards in the House of Lords; and subsequently Lord Cranworth opened the Accountant-General's office for a few days every long vacation, that the suitors might receive their October dividends. In 1872, however, the Accountant-General's office was abolished, and I had the satisfaction of publishing the following letter in the *Law Times* :—

"THE ACCOUNTANT-GENERAL'S OFFICE
IN CHANCERY.

"SIR,—More than twenty years ago, viz., on 9th August, 1852, the accompanying letter from me was published in the

Times. After several useful but small reforms by different Lord Chancellors, Parliament has, by a recent Act, abolished the Accountant-General's office, and transferred its duties to an office to be called the office of the Paymaster-General for Chancery business. The Legislature may at last have considered that (as I wrote in 1852), 'it would be labour in vain to do repairs in a case where it would assuredly be requisite to pull down and build anew from the foundation.' The new office is to be regulated by General Orders, to be made by the Lord Chancellor, with the advice and assistance mentioned in the Act, and I respectfully venture to trouble you with this letter (and the accompanying copy), for the purpose of suggesting that the hundred holydays (or rather more) which have been hitherto taken every year by the Accountant-General, beyond what any Government office, or the Bank of England, or any private banker or stockbroker ever thinks of taking, should henceforth be for ever discontinued. If not the greatest, they are certainly the most absurd and odious reproach which still sticks to the Court of Chancery. It is inevitable that the funds of the suitors administered or dealt with by a Court of Equity must be much reduced in amount by the costs and expenses of the Court, and surely the suitors are entitled to expect that every facility shall be afforded to them at all times for receiving what is left of their property, as soon as the Court has ordered it to be paid to them. Is not this obviously a matter of right? And is there any difficulty in the way, as the Act provides that the Paymaster-General may do all things authorised by it through a deputy or deputies appointed by him in writing under his hand? It is, submit, impossible to state any valid reason why the office of the Paymaster-General for Chancery business should not

be open from ten till four all the year round, just as the other offices of the Paymaster-General are.

“ I am, Sir,

“ Your very obedient servant,

“ GEORGE BILLER.

“ 9, THE TERRACE, TAVISTOCK ROAD,

“ WESTBOURNE PARK, 4th September, 1872.”

I sent the above two letters to Lord Chancellor Hatherley, Lord Chancellor Selborne, Lord Romilly, and all the Vice-Chancellors, as well as to the Incorporated Law Society. Lord Selborne wrote to me, in reply, that the subject should “ not fail to receive due consideration, in settling the new Rules and Orders under the Chancery Funds Act.”

By the Chancery Funds Rules, 1872, the hundred holydays were put an end to, as they probably would have been if I had never written or done anything concerning the Accountant-General’s office. My letters, however, were written and sent as above-mentioned, and *may possibly* have had some effect.

THE END.



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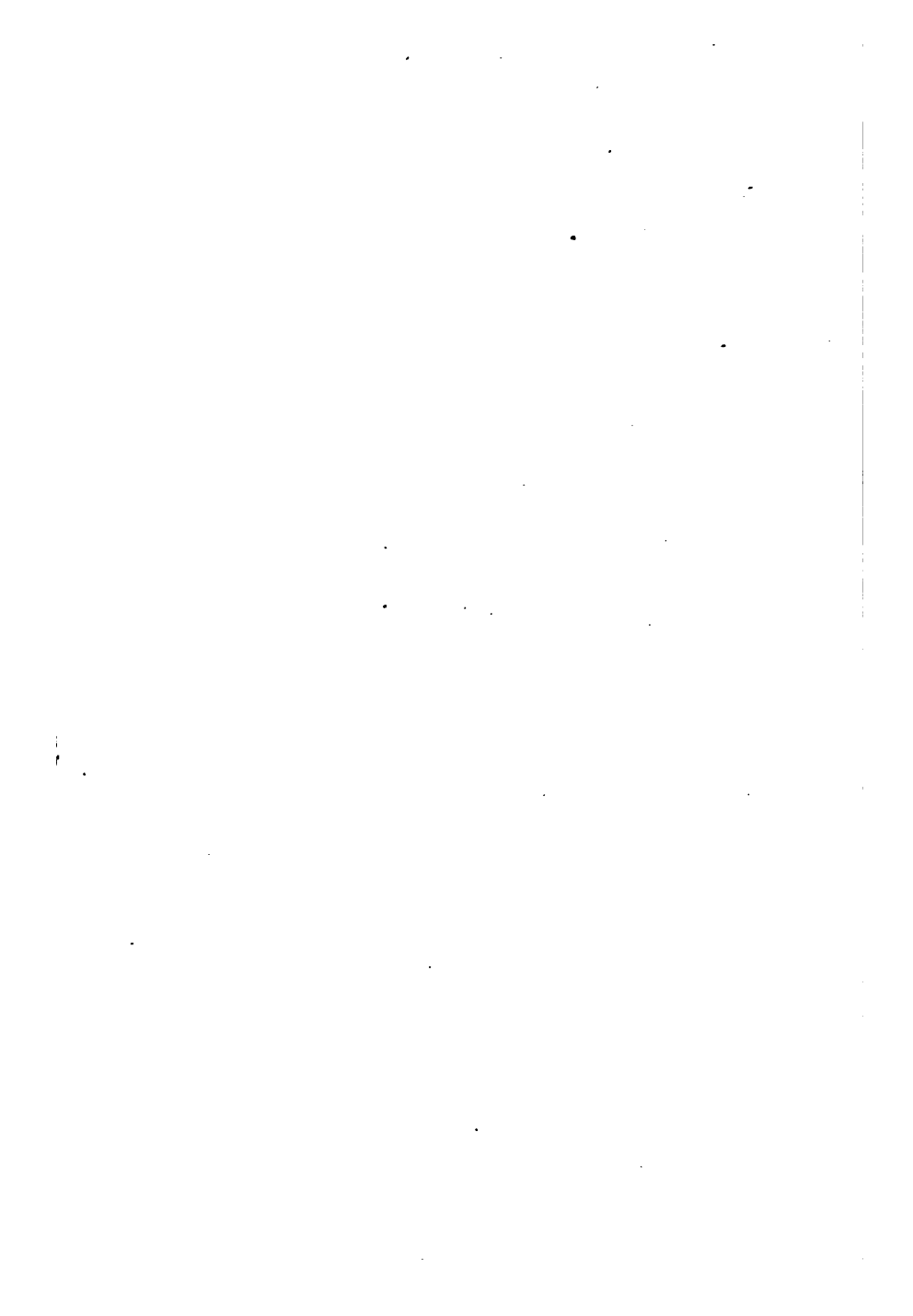
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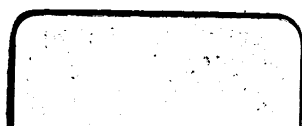
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